JUN 1 3 2007

Attorney Docket No.: 949797-100029

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 7039
Inventor: Goldsmith, Edward M., et al.) Group Art Unit: 3711
Serial No.: 10/759,525) Examiner: Mark S. Graham
Filed: January 16, 2004)
For: Hockey Stick)

Mail Stop Appeal Brief - Patents

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the **Appeal Brief** for the above referenced application, with respect to the Notice of Appeal filed on November 13, 2006.

The items checked below are appropriate:		
	"Small Entity Status" of this application under 37 CFR 1.9 and 1.27 has been	
	claimed.	

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to the Mail Stop Appeal Brief - Patent, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit LAI-2876339v1

Attorney Docket No.: 949797-100029

FEE FOR FILING APPEAL BRIEF

Pursuant to 37 CFR 41.20(b)(2), the fee for filing the Appeal Brief is:

Other than a small entity \$500.00

small entity \$250.00

Appeal Brief Fee Due: \$500.00

EXTENSION OF TIME

Applicant(s) petitions for an extension of time under 37 CFR 1.136 [fees: 37 CFR 1.17(a)-(d)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY		FOR OTHER THAN SMALL ENTITY
one month	\$60.00		\$120.00
two months	\$225.00		\$450.00
three months	\$510.00		\$1,020.00
four months	\$795.00		\$1,590.00
five months	\$1,080.00		\$2,160.00
		Fee	\$2,160.00

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		The Commissioner is authorized to charge Jones Day's Deposit Account No. 50-2468	
		for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or	
		in part, by a check enclosed herewith and to credit any overpayments to said Deposit	
		Account 50-2468.	

Respectfully submitted,

Dated: June 13, 2007

Lawrence R. LaPorte Reg. No. 38,948

555 South Flower Street, 50th Floor Los Angeles, California 90071 213-489-3939

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By:

LAI-2876339v1



Attorney Docket No.: 949797-100029-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Confirmation No.: 7039
Inventor(s): Goldsmith, Edward M., and) Group Art Unit: 3711
DeLap, Christopher K.) Examiner: Mark S. Graham
Serial No.: 10/759,525)
Filed: January 16, 2004))
For: Hockey Stick))
Customer No.: 34026	,

APPEAL BRIEF

Mail Stop Appeal Brief - Patents

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

LAI-2875344v1

This brief is an appeal from the Final Office Action mailed May 9, 2006, finally rejecting claims 30-37, 40, 42-49, and 108-110. A Notice of Appeal was filed by U.S. Mail and is dated received by the Patent Office on November 13, 2006, the time for filing this Appeal Brief thereby being set for January 13, 2007. Accordingly, a petition for a five month extension of time

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June 13, 2007	Yolanda M. Ulenan
Date of Deposit	Signature of Person Mailing Paper

accompanies this Appeal Brief. It is submitted that the application and claims are properly formed and the issues distilled and ripe for appeal.

I. REAL PARTY IN INTEREST

The real party in interest is Easton-Bell Sports, Inc., the assignee of the present application as set forth in the assignment recorded at Reel 017746, Frame 0609, dated June 9, 2006. Easton-Bell Sports, Inc. is a wholly owned subsidiary of RBG Holdings Corp., which is owned by EB Sports Corp., which is owned by parent company Easton-Bell Sports, LLC.

II. RELATED APPEALS AND INTERFERENCES

With respect to other appeals that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal, the appeal of Application Serial No. 10/439,652 (filed May 15, 2003) is identified. This appeal was filed on June 13, 2007.

III. STATUS OF CLAIMS

Pending Claims & Claims on Appeal:

Claims 30-37, 40, 42-49, and 108-110 are currently pending in the present application, with claim 30 being the sole independent claim. Each of the claims stand rejected under 35 U.S.C. § 103(a). There are no other grounds of rejection. Claims 30-37, 40, 42-49, and 108-110 are on appeal.

Cancelled & Withdrawn Claims:

Claims 1-29, 38-39, and 50-107 were cancelled in Preliminary Amendment dated January 16, 2004. Claim 41, due to typographical error, never existed.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Final Office Action mailed on May 9, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 30, as amended during prosecution, is directed to a hybrid hockey stick blade comprising a composite paddle portion having a recessed heel permanently coupled to a wooden hosel portion being adapted to being removably coupled to a hockey stick shaft. (See e.g., Figs. 14A-G; Figs. 17A-D; Appl. page 16, line 6 to page 25, line 16; and Appl. page 22, line 20 to page 26, line 11.) The first end section of the hosel portion includes a slot wherein the recessed surfaces of the heel section of the composite paddle are received and permanently coupled. (Id.; see also Figs. 17B, 17C and 17D; Appl. page 22, line 20 to page 24, line 18; Figs. 1, 2, 5 and 6.) The second end section of the hosel portion being adapted to being received within a tubular portion of a hockey stick shaft. (Id.; see also Figs. 17A-D, Appl. page 24, line 19 to page 26, line 11; Figs. 10-13.)

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 30-37, 40, 42-49, and 108-110 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Christian (USPNo. 6,039,661) in view of Tiitola (USPNo. 5,407,195).

VII. ARGUMENT

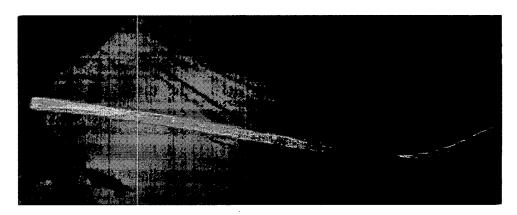
A. Introduction

The invention here is generally directed to hockey sticks and in particular to hybrid hockey stick blades having a unique configuration and construction. To place the invention in the proper context so that it may be fully appreciated, a short discussion of the prior art, specifically the two cited references, and the previously submitted "Declaration of Edward M. Goldsmith Pursuant to 37 C.F.R. § 1.132" (attached hereto as Evidence Appendix Exhibit A), as they relate to the development of the hockey stick art is believed in order.

1. Early Hockey Sticks Were Unitary Structures Carved From a Single Piece of Wood

As explained in the Background Section of the subject application, hockey sticks are generally comprised of a blade portion and an elongated shaft portion which allows the player to manipulate or communicate with the blade during play. Because the blade is the part of the hockey stick that endures the greatest punishment during the rigors of play, early hockey sticks manufactured through the first decades of the 1900s were carved from a *single piece* of wood. (See e.g., Goldsmith Declaration ¶ 14.) The idea being that a unitary hockey stick, wherein the blade and the shaft were seamless unitary extensions of one another, could endure greater stress than hockey sticks formed of one or more separately made and joined components. (Id.) The hockey stick illustrated below is representative of such a single piece construction. (Id.)

Early Carved Single Piece Hockey Stick



In later versions, wood hockey sticks were constructed with the blade and shaft being formed from different pieces of wood and permanently connected together. This construction, while reducing waste, further weakened the area between the blade and shaft. (<u>Id.</u> at ¶¶ 16-22.)

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2. The Replaceable Blade Hockey Stick Configuration and USPNo. 5,303,916 issued on April 19, 1994 to Aubrey Rodgers

As further described in the Background Section of the subject application, hockey sticks constructed of wood, although providing a "feel" that many hockey players prefer, or perhaps over the years have become accustomed to, nevertheless continued to have many shortcomings.

First and foremost, wood hockey sticks lacked durability often due to fractures in the blade, which frequently occurred at the joint between the blade and the shaft. (Goldsmith Declaration ¶22.) Thus, frequent replacement was required. (Id.) This is not surprising given the substantial and sudden impacts received by the blade during the normal course of play (e.g., swinging the blade at high speed at hard vulcanized rubber pucks, slapping the blade on the ice, smashing the blade into (or between) the rink boards goal bars, skates, etc.). (Id.) Furthermore, due to the variables inherent in wood construction and manufacturing techniques, wood sticks were often difficult to manufacture to consistent tolerances (e.g., the curve and flex of the blade often varied even with the same model and brand of stick). (Id.) Thus, when the stick was no longer in usable condition, the player was left without a seamless and comfortable replacement. (Id.) Moreover, because the blade and the shaft were permanently attached to one another, the durability of wood hockey sticks was dependent on the durability of each component. (Id.) As such, it was not uncommon for an unusable wood hockey stick to be scrapped with a shaft that was in good condition. Consequently, significant waste of natural resources occurred in that, of the two components, the shaft component comprises the vast majority of the wood that is employed in making the stick.

As explained in U.S. Patent No. 5,303,916 issued on April 19, 1994, in the name of Aubrey Rodgers (previously cited, attached hereto as Evidence Appendix Exhibit B), in an attempt to improve upon the durability of traditional wooden hockey stick constructions, contemporary hockey

stick design -- with the advent of tubular non-wooden hockey stick shafts -- increasingly veered away from the traditional permanently attached blade towards a replaceable blade configuration so that a damaged blade could be readily removed from the shaft and replaced with a new blade, to wit:

Hockey Sticks have traditionally been a one-piece wooden structure. During a typical hockey game, a hockey stick can impact the ice hundreds of times at force levels that often result in fracture or breakage of the stick. Breakage of hockey stick occurs most frequently at the blade portion or at the lower part of the shaft that extends from the blade portion. It is thus fairly common for many hockey players to replace a broken stick at least once during each hockey game.

In an attempt to improve the durability of a hockey stick without sacrificing the characteristics of weight, feel, and flexibility that are desirable in a hockey stick, materials other than wood have been resorted to in constructing hockey sticks. Thus although a wooden hockey stick has set the standard for weight, feel and propulsion of a puck, a new generation of sticks have been formed of plastic and aluminum, as well as laminates of fibrous, plastic and resinous materials. Generally plastic and aluminum provide good strength characteristics for a hockey stick, but the weight, wear and feel of these materials do not command universal acceptance by hockey players.

Since most hockey players prefer a wooden hockey blade, much attention has been directed to the development of a durable, non-wooden hockey stick shaft that can be used with a wooden blade but is less likely to break than a wooden shaft. One result of such development effort is a hollow aluminum or fibrous hockey stick shaft capable of receiving a replaceable blade that can be formed of wood or plastic.

For example, U.S. Pat. No. 4,086,115 to Sweet et al. shows a hollow hockey stick shaft made from graphite fiber and resin. The hockey stick includes a wooden blade with a tongue that engages one end of the hollow shaft and is bonded therein with a polyester resin mixture. It has been found that hollow shafts formed of graphite fiber and resin as disclosed in this patent are more durable than wooden shafts but are still prone to fracture under the usual forces that a stick is subject to in a hockey game.

('916 Patent at Col. 1, lines 14-54).

As indicated in the '916 patent, initially the tubular shafts were formed of aluminum and fibrous plastics. (Goldsmith Declaration ¶ 24.) However, since most hockey players preferred a wooden hockey blade, the blades in these replaceable blade configurations continued to be made of wood. (Id.) In order to retain a uniform hitting surface of the blade while providing a means to connect the blade to the shaft, the blades were configured to include an upward extension from the heel -- often referred to as a "tennon," "shank," or "hosel" -- that was dimensioned at its upper region to be received within the lower end of the tubular shaft so as to generally form a four-plane lap joint.

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(Id. at ¶¶ 25-26.) In this manner, the entire blade could be uniformly constructed even at the heel region. (Id.) This two-piece configuration with an upward hosel extension from the blade improved durability of the hockey stick in three aspects. First the shaft was protected from the high impact region at the heel of the blade. Second, the shaft, being made of fiber reinforced resin or aluminum, was more durable than the previously employed wooden shafts. Third, because the configuration facilitated reuse of the shaft with new blades, the waste previously incurred when the blade was fractured was significantly reduced. Notably however, these improvements did not overcome the lack of durability and uniformity of the wooden blade. (Id. at ¶ 27.) Notwithstanding the many advantages of synthetic replacement blades, there continued to be a significant number of players that preferred the traditional wooden hockey stick even though more durable synthetic replaceable blades became increasingly available. (Id. at ¶ 31.)

3. Composite Blades and USPNo. 5,507,195 to Tiitola et al.

As described in U.S. Patent No 5,407,195 issued on April 18, 1995 to Antti-Jussi Tiitola et al. (attached hereto as Evidence Appendix Exhibit C), there was a perception by those of skill in the art that the continued preference for traditional wooden hockey sticks was due to the failure of synthetic blades to provide physical attributes (e.g., stiffness, flex, weight, etc.) comparable to wooden blades while providing improved durability:

A blade for a hockey stick must be extremely strong in order for it to indure [sic] the tremendous forces developed between it and a puck. On the other hand, the blade must have a certain amount of flexibility so that the player has an acceptable level of "feel" while handling a puck or executing a shot. The optimum design of a blade furthermore includes a primary concave contact face which places a

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further limit on its construction; the blade also usually has a corresponding convex contact face which is more or less parallel to the concave face, i.e. in order to keep the weight of the blade low.

Many types of hockey sticks are presently known.

Traditional blades for ice hockey sticks are made of one or more pieces (e.g. layers) of wood. A shortcoming of wooden blades is that they are generally not strong enough and thus do not hold up well under the usual conditions encountered when playing hockey.

Moreover, labour and material costs for the manufacture of wooden blades are relatively high.

A wooden blade may also be reinforced with fiber (e.g. glass) fabric which is impregnated and bonded to the wooden surface with a synthetic resin. These types of reinforced wooden blades have given good results including good playing performance, this performance is mainly the result of the combination of low weight and high stiffness.

Blades made entirely out of synthetic materials are also known; these include composite blades comprising a fiber (e.g. glass) laminated core (see for example U.S. Pat. Nos. 4,059,269, 4,488,721, 4,591,155, 4,600,192, Finish Pat. No. 65018, etc.) However, difficulties are still encountered in providing a (synthetic) composite blade for a hockey stick that can withstand the substantial impacts to which it is subjected during use yet provide a "feel" comparable to that of traditional wooden sticks when handling the puck and executing a

shot. Plastic blades may, for example, have good strength

characteristics but may have (high) weight, (low) wear and/or feel (i.e. low stiffness) characteristics which may be unacceptable to some players. It is possible, for example, to obtain a light weight blade having good stiffness by using a core of polyurethane foam, but, such a core may have a limited shear strength which may lead to internal fracture of the blade during use.

Accordingly, it would advantageous to have an alternative composite blade construction for a hockey stick or the like which may be strong, durable, light weight and of acceptable stiffness.

('195 patent at Col. 1, lines 19-68). In an attempt to overcome this perceived shortcoming, Tiitola et al. disclosed a hockey stick blade construct in which the blade comprised a first face member and a second opposed face member. The first and second face members being spaced apart and formed of fiber reinforced plastic materials. Sandwiched between the first and second face members is a core cavity member comprising one or more bridge members of fiber reinforced plastics material. The first face member, the second face member and the bridge members are integral, and one or more of the bridge members comprises a fiber reinforcing component oriented transversely with respect to the first and second face members.

Although such composite hockey stick structures had many objective benefits, as set forth in the background section of the subject application, *many players continued to prefer the feel of wooden hockey sticks*. (Goldsmith Declaration ¶ 33.) The inventors in the pending application realized that the preference for wooden hockey stick was perhaps less a derivative of the fact that the hockey sticks themselves were made of wood, but rather a derivative of the manner by which

traditional wood hockey sticks were constructed. (<u>Id.</u> at ¶ 34.) In other words, while the industry perceived the preference for wooden hockey sticks as one of materials, the inventors --contrary to industry perceptions -- perceived the preference as being not only the materials but also the manner by which the blade and shaft in traditional wood hockey stick constructions were mated or joined. (<u>Id.</u>)

The result of the inventors' insight is a hybrid hockey stick blade of unique configuration and construction that is adapted to being joined to a hockey stick shaft in a manner that provides the characteristics that allow a hockey player a comfortable "feel," while providing the player with the desired performance and durability. (Id. at ¶ 35.)

- B. The Combination of Christian et al. (USPNo. 6,039,661) and Tiitola et al. (USPNo. 5,047,195) Do Not Render Obvious The Claims At Issue
 - 1. Independent Claim 30 And The Examiner's Rejection

Independent Claim 30, the only independent claim presented on appeal and amended during prosecution, is as follows:

Claim 30 (Currently amended): A hybrid hockey stick blade adapted to being removably coupled to a hockey stick shaft comprising:

a composite paddle portion comprising:

- i. an elongate member extending from a tip section to a heel section and having a front face and a back face;
- ii. the heel section comprising front-side and back-side facing surfaces that are recessed relative to adjacent portions of the front and back faces;
- iii. the elongate member further comprising an inner foam core and one or more plies disposed within a hardened resin matrix material overlaying the inner

foam core, wherein the one or more plies comprise fibers aligned in one or more defined directions; and

a wooden hosel portion comprising:

- i. an adapter member constituted at least in part of wood and extending longitudinally from a first end section to a second end section;
- ii. the first end section includes a slot wherein the recessed surfaces of the heel section are received and permanently coupled thereto; and
- iii. the second end section being adapted for receipt within a tubular portion of a hockey stick shaft,

wherein a portion of said fibers being interposed between one or more of the recessed heel section surfaces and an overlying inner surface defining the slot in the first end-section of the hosel portion.

Thus, as amended, independent claim 30 is directed to a hybrid hockey stick comprising a composite paddle portion having a recessed heel permanently coupled to a wooden hosel, which in turn is adapted for receipt by a tubular hockey stick shaft.

In rejecting Claim 30, the Office Action mailed May 9, 2006 misinterprets the disclosure and teachings of the cited prior art references. Specifically, the rejection of claim 30 (after the amendments of March 14, 2006) is conclusory, devoid of any discussion of the present claim limitations, and erroneously assumes those claim limitations exist in the prior art, which they do not. The rejection set forth in the Office Action of May 1, 2006, is as follows:

"Concerning the amendments to claim 30, when a fiber composite blade such as Tiitola's is joined at the hosel in the manner disclosed by Christian, the fibers of the blade necessarily have to be between the recessed heel section and the slot."

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"In response to applicant's arguments and the submitted declaration, it is the examiner's opinion that Christian discloses the claimed device with the exception of the type of blade used. However, numerous blade constructs are known in the art including that of Tiitola which meets the limitations of the blade claimed by applicant. Moreover, Tiitola provides a specific teaching that blades such as his are intended to improve upon blades such as Christian's. (See again Col. 1 of Tiitola). Thus, the ordinarily skilled artisan has been presented with the blade fastening being claimed (Christian), the type of blade being claimed (Tiitola) and a specific teaching in the references themselves to improve the blade of the Christian type with one of the Tiitola construction. As such the ordinarily skilled artisan would have had a strong motivation to combine the references which results in arrival of the applicant's claimed invention. Under 35 U.S.C. 103 therefore the Examiner cannot find the claimed blade to be patentable."

As indicated, the above rejection wholly fails to address several pertinent claim limitations, e.g., (i) a composite blade with a recessed heel, (ii) fibers interposed between the recessed heel and the wooden hosel, and (iii) a wooden hosel permanently coupled to a composite paddle portion and adapted for receipt within a tubular hockey stick shaft. These are not taught or suggested by the cited references. The rejection does not explicitly address these key differences between claim 30 as written and the prior art. Moreover, neither cited reference teaches or even suggests combining any aspect of the wood blade construct of Christian et al. (attached hereto as Evidence Appendix Exhibit D) with any aspect of the synthetic blade construct disclosed in Tiitola et al., let alone to combine those features in the manner claimed. Plainly, none of the identified claim limitations appear in the prior art.

On these points, the Supreme Court in KSR Int'l Co. v. Teleflex recently stated:

Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an *apparent reason* to combine the *known elements* in the fashion claimed by the patent at issue. *To facilitate review, this*

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analysis should be made explicit. See In re Kahn, 441 F.3d 977, 988 (CA Fed. 2006) ("Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.)

* * *

Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known. (Emphasis added.)

KSR Int'l Co. v. Teleflex, 127 S. Ct. 1727, *1740-41, 167 L. Ed. 2d 705, **722 (April 30, 2007). Further, not only do the claimed limitations not exist in the prior art relied upon in the rejection, the rejection's discussion of the "known elements" refers only to "the blade" of each reference, and not—as required by KSR—to any elements of those blades. In other words, the rejection simply fails to identify the "known elements" of the prior art, no doubt because the blades of Tiitola et al. and Christian et al. do not contain the claimed features.

The rejection is further in violation of the policy of the Patent Office, as explained in the Memorandum from Margaret A. Focarino, Deputy Commissioner for Patent Operations, dated May 3, 2007 (attached hereto as Evidence Appendix Exhibit E), which states that the Patent Office policy *remains* one of identifying the "reason" why the "prior art elements" would have been combined.

"Therefore in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed," citing KSR. (Bold emphasis in original of Memorandum; italics emphasis added)

Plainly, the rejection does not provide an identification of the element or elements in the prior art or an "explicit analysis" of the cited art because the relevant claim limitations simply do not exist in the

prior art, e.g., a composite blade with a recessed heel, fibers interposed between a recessed heel surface and a wood hosel, and a wooden hosel permanently coupled to a composite paddle portion and for receipt with a tubular hockey stick shaft.

2. Neither Christian nor Tiitola teaches, suggests or provides motivation to combine any aspect of the wood replacement blade in Christian with any aspect of the synthetic blade construct in Tiitola, let alone to combine features in the manner claimed

While Tiitola et al. discloses a *composite blade* construction, it fails to disclose, suggest or otherwise teach a recessed heel section that is permanently mated within a slot of a wooden hosel. Quite the contrary, the blade constructs disclosed in Tiitola et al. have absolutely *no recess at the heel*, let alone one that is configured to be received in a mating portion of a hosel that is adapted for receipt within a tubular portion of a hockey stick shaft. Thus, the rejection imports into the Tiitola et al. reference a feature which does not exist, and for which there is no teaching or suggestion – a recessed heel portion.

Christian et al., on the other hand, discloses an *all wood hockey replacement blade* having an exterior overlay of fiberglass including a pair of "reinforcement strips," (Col. 3, lines 1-50), but fails to disclose, suggest, or otherwise teach that any wooden portion of the blade be formed of foam. The replacement blade of Christian et al. is simply a wood blade *wrapped* with fiberglass and dipped in varnish. The primary strength of the blade disclosed in Christian et al. is derived from the wood construction, which may or may not be further protected by a fiberglass overlay. See Christian et al. at Col. 6, lines 57-67. In contrast to wood, a foam core such as that identified in the rejection and attributable to Tiitola et al. has very little strength. Rather, a foam core is employed in synthetic blade construction during the curing process -- one neither taught nor even suggested by Christian et al. -- to provide the necessary internal pressure to mold the fiber plies within the resin. Indeed, one

of ordinary skill in the art would not replace the wood components of the replacement blade of Christian et al. with foam (even with a protective fiberglass woven sleeve), because to do so would undermine the integrity of the blade structure disclosed in Christian et al.

Hence, there is simply no teaching in either Christian et al. or Tiitola et al. of the *hybrid* hockey stick with a composite blade, wooden hosel and tubular shaft, as claimed. Neither reference teaches or even suggests combining any aspect of the wood blade construct disclosed in Christian et al. with any aspect of the synthetic blade construct disclosed in Tiitola et al., let alone to combine features of those references in the manner claimed. Indeed, as set forth in Goldsmith Declaration, discussed *infra*, there is absolutely no motivation to employ a tongue and groove joint construction at a heel region of a synthetic replacement hockey stick blade because such a joint would be contrary to durability that was sought from such blades. Moreover, such a blade construct would introduce a lack of uniformity in the primary hitting surfaces, *i.e.*, composite and wood.

Additionally, the amendments to claim 30 further require that the fibers be *interposed* between a surface of the recessed heel section of the elongate member and an overlying inner surface defining the slot in the first end-section of the hosel portion. Neither reference discloses or even suggests this limitation. Notably, Tiitola et al. neither discloses a slot nor a recessed heel region as claimed, and Christian et al. does not disclose fibers except in the context of an optional fiberglass protective wrap over the exterior surface of the entire wood blade. See Christian et al. at Col. 6, lines 57-67. With regard to dependent claims 31-35, none of the additional fiber limitations is identified in the referenced prior art.

In addition, it is noted that the additional limitations set forth in dependent claims 43 and 45 are not disclosed in either Tiitola et al. or Christian et al. Neither reference teaches or suggests an internal bridge structure comprising *non-continuous fibers*, nor internal bridge structures extending

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between the recessed front-side and back side facing surfaces of the heel section. All of the bridge structures in Tiitola et al. are made of layers of continuous fibers capable of being oriented at the desired transverse angle. Furthermore, since Tiitola et al. does not disclose or even suggest the employment of any recessed portion at the heel whatsoever, it cannot suggest that bridge structures be employed in that region as defined in claim 45. Accordingly, claims 43 and 45 are not obvious over the cited references for these additional reasons.

With regard to dependent claims 109 and 110, Christian et al. does not disclose the use of a composite blade with a wooden laminate hosel.

Finally, it is respectfully submitted that any conclusion that the pending claims are obvious over the two cited references amounts to nothing more than *impermissible hindsight* that fails to comprehend the context of the present *hybrid* hockey stick invention. Accordingly, it is respectfully submitted that pending claims 30-37, 40, 42-49, and 108-110 patentably distinguish over the prior art.

C. Applicant's Evidence Regarding Commercial Success (the Goldsmith Declaration) Establishes That The Combination is Non-Obvious

In support of the patentability of the claims, the previously submitted "Declaration of Edward M. Goldsmith Pursuant to 37 C.F.R. § 1.132" further evidences the non-obviousness of the claimed invention. Specifically, the Goldsmith Declaration serves the dual purpose of placing the claimed invention in the proper context vis-a-vis the prior art while also setting forth the commercial success of applicant's products embodying the invention. The Goldsmith Declaration with exhibits is incorporated herein by reference and attached to the Evidence Appendix and filed herewith.

In response to the Goldsmith Declaration, the Office Action of May 9, 2006 states, in conclusorily fashion and without any further discussions, that there exists

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"no nexus between the commercial success alleged and the particularly claimed features of the hockey stick blade has been shown."

A close examination of the Goldsmith Declaration plainly shows otherwise.

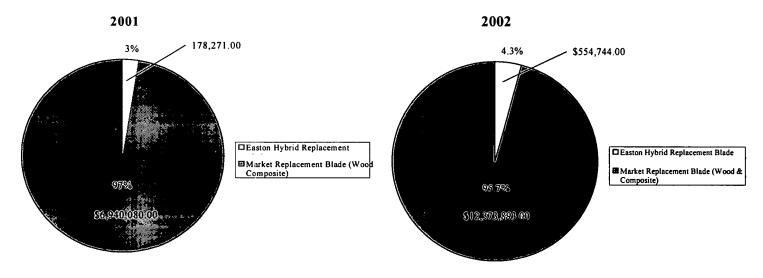
- 34. I came to the realization that the preference for wooden hockey sticks was perhaps not only a derivative of the fact that the industry had failed to sufficiently "imitate" the "feel" of wood using synthetic materials construction materials, but that the preference may also be derivative of the manner by which the shaft and the blade of traditional wood hockey sticks were joined. In other words, while the industry perceived the preference for traditional wooden hockey sticks as primarily one of materials, I contrary to industry perceptions perceived the preference not only in terms of materials but also in terms of the manner by which the shaft and blade of traditional wood hockey sticks were mated or joined in such traditional hockey sticks.
- 35. The result of this realization is embodied in the hybrid hockey stick blade constructions and configurations disclosed in the subject patent application, which was first filed on September 15, 2000.
- 36. Prior to 2001 there were generally three categories of replacement hockey stick blades -- wood, plastic, and composite. See Exhibit H discussed below. The three categories, as previously noted, are descriptive of the primary construction materials of the hosel and paddle. Hence for example the hosel and paddle of a "wood" replacement blade are each substantially constructed of wood or wood laminate and are often overlaid with fiberglass to improve durability. The hosel and paddle portions of a "plastic" blade are typically formed as a unitary injection molded structure made of PVC or like material. The hosel and paddle portions of a "composite" blade are typically formed of fibers (e.g., carbon, aramid, graphite, etc.) disposed within a hardened resin matrix material or resin overlaying a core structure such as foam or ABS plastic.
- 37. In about March 2001, Easton first sold its "Hybrid Replacement Blade" product. Easton continues to sell its Hybrid Replacement Blade products to this day.
- 38. Exhibits D-G are color copies of selected pages from Easton's 2001 through 2004 hockey catalogs depicting the various replacement hockey stick blades that were sold by Easton during those years. For each catalog the selected pages include (1) the front and back cover pages, (2) the pages of the catalog that illustrate Easton's replacement blades being sold that year, and (3) a page that includes a table of each replacement blade model and series thereof
- 39. As described in the catalog pages (Exhibits D-G), Easton's Hybrid Replacement Blades are adapted to being removably coupled to a hockey stick shaft. Each Hybrid Replacement Blade comprises a composite paddle portion and a hosel portion constructed of wood. The composite paddle is generally comprised of a foam core overlaid with multiple plies of fibers disposed within a hardened resin matrix. The heel region of the composite paddle is recessed. One end of the hosel portion includes a slot the other is adapted to being received within a tubular portion of a hockey stick shaft. The recessed region of the composite paddle is received within the slot and permanently connected thereto.

48. A consolidated summary of the three sub-categories of wood versus composite replacement blade sales set forth on page 6 of the Market Report is presented by year in Table 2 below.

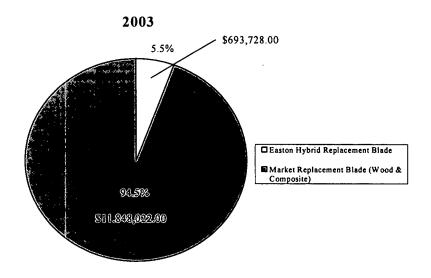
Table 2: Market Summary of Sales of Wood and Composite Replacement Blades

<u>Year</u>	Total Sales of Wood Replacement Blades	Total Sales of Composite Replacement Blade	Total Sales of Composite and Wood Replacement Blades
1999	\$11,372,425	\$1,811,311	\$13,183,735
2000	\$10,752,132	\$2,710,093	\$13,462,225
2001	\$5,761,073	\$1,179,007	\$6,940,080
2002	\$8,138,306	\$4,235,587	\$12,373,893
2003	\$5,060,398	\$6,787,624	11,848,022

- 49. Notably, the industry-wide composite replacement blade sales figures during the time-span in which Easton's Hybrid Replacement Blade products were on the market were generally trending upwards while at the same time-span the industry-wide wood replacement blade sales figures were generally trending downwards.
- 50. The graphical comparison set forth below of Easton's Hybrid Replacement Blade sales vis-a-vis the entire replacement hockey stick blade sales market set forth in the Market Report over the same time-frame is representative measure of the tremendous commercial success of Easton's Hybrid Replacement Blades.



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52. Hence, whether Easton's Hybrid Replacement blades are compared with replacement hockey stick market as a whole or vis-à-vis the wood replacement blade market only, which has lost market share over the three years in which Easton's Hybrid Replacement Blades have been on the market, it is clear that Easton's Hybrid Replacement Blades are gaining significant market share in what can only be characterized as highly competitive market.

Accordingly, the direct evidence of applicant's increasing sales of its hybrid hockey stick, *i.e.*, commercial success, in an otherwise level or declining market for directly competing replacement blades, establishes the necessary nexus that the commercial success was predominantly due to the claimed invention. With regard to the objective indicia criterion of "long felt need," both the previously discussed prior art patents ('916 patent to Rodgers and '195 patent to Tiitola et al.) reference the need to retain the industry preference for maintaining the "feel" of traditional wooden sticks while utilizing replacement blades and composite materials.

As the Federal Court has indicated, "evidence of [objective indicia] may often be the most probative and cogent evidence in the record . . . objective indicia may often establish that an invention appearing to have been obvious in light of the prior art was not." *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 1538-39 (Fed. Cir. 1983); *see Demaco Corp. v. F. Von Langsdorff*

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Licensing Ltd., 851 F.2d 1387, 1391 (Fed. Cir. 1988); Alco Standard Corp. v. Tennessee Valley Auth., 808 F.2d 1490, 1500-01 (Fed. Cir. 1986) (affirming trial court finding of nonobviousness based predominantly on evidence of commercial success); Lindemann Maschinenfabrik GMBH Am. Hoist & Derrick Co., 730 F.2d 1452, 1461 (Fed. Cir. 1984) (reversing trial court for failure to consider commercial success even though all other factors indicated invention was obvious). Moreover, when the claimed invention is "simply a variation on known themes" -- as the rejection dated May 1, 2006 claims -- "use of objective indicia is most relevant and persuasive." Cont'l Can Co. v. Monsanto Co., 948 F.2d 1264, 1273 (Fed. Cir. 1991) ("when differences that may appear technologically minor nonetheless have a practical impact, particularly in a crowded field, the decision-maker must consider . . . objective indicia . . . in understanding the state of the art at the time the invention was made"). Notably, in the context of an ex parte prosecution, the Federal Circuit has instructed the Patent Office "that it must [also] consider objective evidence of nonobviousness – e.g. commercial success." In re Huang, 100 F.3d 135, 139 (Fed. Cir. 1996) (citing to In re Sernaker, 702 F.2d 989 (Fed. Cir. 1983)). Thus, the direct evidence of commercial success that is wholly or predominantly attributable to the claimed invention indicates that the invention is not obvious of the prior art.

Respectfully submitted,

DNES I

Dated: June 13, 2007

Lawrence R. LaPorte Reg. No. 38,948

555 South Flower Street, 50th Floor Los Angeles, California 90071 213-489-3939 By:

VIII. CLAIMS APPENDIX

Claim 30. A hybrid hockey stick blade adapted to being removably coupled to a hockey stick shaft comprising:

a composite paddle portion comprising:

- i. an elongate member extending from a tip section to a heel section and having a front face and a back face:
- ii. the heel section comprising front-side and back-side facing surfaces that are recessed relative to adjacent portions of the front and back faces;
- iii. the elongate member further comprising an inner foam core and one or more plies disposed within a hardened resin matrix material overlaying the inner foam core, wherein the one or more plies comprise fibers aligned in one or more defined directions; and a wooden hosel portion comprising:
 - i. an adapter member constituted at least in part of wood and extending longitudinally from a first end section to a second end section;
 - ii. the first end section includes a slot wherein the recessed surfaces of the heel section are received and permanently coupled thereto; and
 - iii. the second end section being adapted for receipt within a tubular portion of a hockey stick shaft,

wherein a portion of said fibers being interposed between one or more of the recessed heel section surfaces and an overlying inner surface defining the slot in the first end-section of the hosel portion.

Attorney Docket No

Claim 31. The blade of claim 30, wherein at least part of one of the fibers is selected from the group consisting of carbon fiber, aramid, glass, polyethylene, ceramic, boron, quartz, and polyester.

- Claim 32. The blade of claim 30, wherein at least part of one of the fibers is selected from the group consisting of carbon fiber, aramid, glass, polyethylene, and ceramic.
- Claim 33. The blade of claim 30, wherein at least part of one of the fibers is selected from the group consisting of carbon fiber, aramid, and glass.
- Claim 34. The blade of claim 30, wherein at least part of one of the fibers is selected from the group consisting of carbon fiber and aramid.
- Claim 35. The blade of claim 30, wherein at least part of one of the fibers comprises carbon fiber.
- Claim 36. The blade of claim 30, wherein the recessed front-side and back-side facing surfaces of the heel section are configured to be partially received within the slot of the first end section.
- Claim 37. The blade of claim 30, wherein the recessed front-side and back-side facing surfaces of the heel section are configured to be entirely received within the slot of the first end section.
- Claim 40. The blade of claim 30 further comprising one or more internal bridge structures disposed within the foam core and extending between the front and back faces.

Claim 42. The blade of claim 40, wherein at least one of the one or more internal bridge structures comprises one or more plies of substantially continuous fibers disposed within a matrix material.

Claim 43. The blade of claim 40, wherein at least one of the one or more internal bridge structure comprises non-continuous fibers disposed within a matrix material.

Claim 44. The blade of claim 30 further comprising one or more internal bridge structures disposed within the foam core and extending between the recessed front-side and back-side facing surfaces of the heel section.

Claim 45. The blade of claim 30 further comprising one or more internal bridge structures disposed within the foam core and extending between the front and back faces of the blade and between the recessed front-side and back-side facing surfaces of the heel section.

Claim 46. The blade of claim 30, wherein the foam core further comprises a top edge and a bottom edge extending between the front face and back face of the blade, wherein at least part of the outer perimeter of the bottom edge or the top edge of the foam is overlaid with a durable edging material.

Claim 47. The blade of claim 46, wherein at least part of the outer perimeter of both the top edge and bottom edge of the foam is overlaid with the durable edging material.

Claim 48. The blade of claim 46, wherein the durable edging material is selected from the group of materials consisting of thermoplastic resins, thermosetting resins, one or more groups of

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substantially aligned fibers disposed within either thermoplastic or thermosetting resins, and noncontinuous fibers disposed within either thermoplastic or thermosetting resins.

Claim 49. The blade of claim 30, wherein the foam core comprises at least one material selected from the group consisting of polyurethane, PVC, and epoxy.

Claim 108. The blade of claim 30, wherein the foam core is comprised of one or more discrete elements.

Claim 109. The blade of claim 30, wherein the wooden hosel is comprised of wood laminate.

Claim 110. The blade of claim 30, wherein the wooden hosel is comprised of wood laminate overlaid with fiberglass.

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IX. **EVIDENCE APPENDIX**

- 1. Exhibit A is the "Declaration of Edward M. Goldsmith Pursuant To 37 C.F.R. §1.132" filed May 11, 2005.
 - 2. Exhibit B is US Patent No. 5,303,916 issued on April 19, 1994 to Aubrey Rodgers.
 - Exhibit C is US Patent No. 5,407,195 issued on April 18, 1995 to Tiitola et al. 3.
 - 4. Exhibit D is US Patent No. 6,039,661 issued on August 6, 1997 to Christian et al.
- Exhibit E is a Memorandum from Margaret A. Focarino, Deputy Commissioner for 5. Patent Operations, dated May 3, 2007.



Decl. of Edward M. Goldsmith Attorney Docket: 949797-100029 US Express Mail No. EL 975109173 US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Application of:) Group Art Unit: 3711
Inventor: Goldsmith, Edward M., et al. Serial No.: 10/759,525 Filed: January 16, 2004 For: Hockey Stick	Examiner: Mark S. Graham)))
Docket No.: 949797-100029 US Customer No.: 34026)))

DECLARATION OF EDWARD M. GOLDSMITH PURSUANT TO 37 C.F.R. §1.132

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, EDWARD M. GOLDSMITH, declare as follows:

- I am a citizen of the United States of America, having been born on September
 1966 in the State of Georgia. I presently reside in Studio City, California.
- 2. I am one of two named inventors of U.S. patent application no. 10/759,525 filed on January 16, 2004 (the subject patent application), which is a continuation of U.S. patent application no. 09/663,598 filed on September 15, 2000, each application of which is assigned to Jas. D. Easton, Inc.

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EL 975109173 US	Yolanda G. Ybuan
<u> </u>	Name of Person Mailing Paper
44	Volanda G. Vlenan
May 11, 2005 Date of Deposit	Signature of Person Mailing Paper

LAI-2158844v3

- 3. I have a B.A. degree in Economics from Emory University, which I received in May 1988, during which time I played hockey for Emory University.
- 4. After graduating from Emory University, I coached two semi-pro hockey teams in Europe from 1988 to 1992, while I continued to play hockey.
- 5. From 1992 to 1996, I was employed by two leading goalie hockey equipment manufacturers. My primary responsibilities during my employment included research and development of new and improved goalie equipment including goalie hockey sticks.
- 6. Since 1998, I have been and continue to be Vice President of the Hockey Division at Easton Sports, a wholly owned subsidiary of Jas. D. Easton, Inc., a California corporation (collectively referred to herein as "Easton").
- 7. My responsibilities as Vice President of Hockey include market analysis, research and development of new and improved hockey equipment including hockey sticks and blades, and marketing existing and new hockey equipment products.
- 8. Prior to becoming Vice President, from about December 1996 to about April 1998, I was employed as an engineer by Easton in the Hockey Division.
- 9. My primary responsibilities as an engineer at Easton included researching and developing new hockey equipment products including hockey sticks and hockey stick blades.
- 10. I have played hockey since I was a child in Georgia, during high school in Georgia and college at Emory University. Subsequently, I played hockey while coaching in Europe in Nantes, France and London, England, and I continue to play hockey to this day in El Segundo, California.

- 11. Easton is in the business of making and selling a variety of hockey equipment including hockey sticks and replacement hockey stick blades and has been in this business for over 25 years.
- 12. My experiences as hockey player, coach, engineer and Vice President of Easton's Hockey Division has made me intimately familiar with the hockey stick and replacement blade industry.
- 13. A hockey stick is generally comprised of a blade portion and an elongated shaft portion, which allows the user to manipulate or communicate with the blade during play or use.
- 14. Early hockey sticks were manufactured by carving a single piece of wood into the desired hockey stick shape. In these early hockey stick constructions, the blade and shaft were seamless unitary extensions of one another. The hockey stick illustrated below is representative of such a construction.



Early Hockey Stick Carved from a Single Piece of Wood

15. Although such unitary hockey stick constructions were thought to promote durability while providing a uniform construction, as described in U.S. Patent No. 1,601,116

"Hall"), the manufacture of such hockey sticks was recognized as producing considerable amounts of waste making them increasingly more expensive to manufacture.

The object of my invention is to devise a strong, durable and uniformly finished hockey stick that can be inexpensively manufactured and for the construction of which wood can be used that heretofore has been considered factory scrap.

* * *

In the production of a hockey stick from a single piece of wood there is necessarily a considerable amount of waste in the shaping of the handle and blade, and the loss or waste of material in the manufacture is approximately equal to the amount in the manufactured product.

(Hall at p. 1:1-6,15-21).

- 16. In an attempt to reduce manufacturing costs resultant from the waste described in Hall, the hockey stick industry trended away from such early hockey stick constructions toward the two component constructions disclosed in Hall.
- 17. Specifically, Hall discloses an all-wood hockey stick in which the shaft and blade are formed as separate wood components and then permanently mated together at a tongue and groove joint with glue and nails.

The hockey stick comprises two separate parts viz: --a handle shaft 1 and blade 2, with the grain of the wood running lengthwise of each part. By separately making the blade and handle it is possible to use wood of any kind, weight, or texture in the blade and to use a different wood in the handle of the same stick, so that the desired strength and balance may be acquired.

In each of the figures the handle shaft 1 is shown to be formed with a groove or recess 2 extending upwardly into the said shaft from the lower end thereof, and the heel of the blade 3 is formed with a tongue 4 which, when the parts are assembled, is entered in the groove and, for the purpose of making a substantial

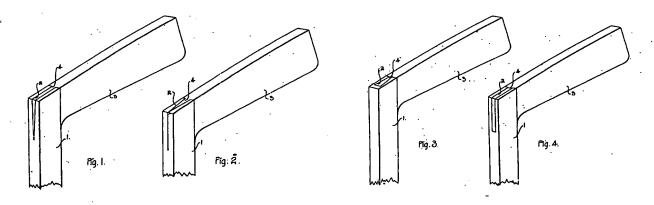
joint between the handle shaft and the blade, is of corresponding shape and dimension to the groove.

* * *

In the preferred construction the handle shaft extends to the sole of the blade and the sides of the groove or mortice tightly embrace the sides of the tongue or tenon and form with it the heel of the stick. The parts are glued together and nailed to form a substantial joint between the blade and the handle shaft.

(Hall at p. 1:77-95 and p.2:20-27).

Figures 1-4 of Hall



(Hall Figs 1-4 (reproduced)).

- 18. A notable disadvantage of this type of construction, however, is the incorporation of a substantial mechanical joint at the heel of the blade -- the very region of the hockey stick that incurs some of the greatest impact forces during use.
- 19. This disadvantage was recognized by Hall in his attempt to compensate for the structural weakness associated with placing such a substantial joint in this high impact region.

By this construction the hockey stick will have the same or greater tensile strength than if made of a single piece of wood and the end grain of the wood at the lower extremity of the handle shaft will be presented to the surface of the ice and will protect the heel of the blade from excessive wear and thereby increase the life of the hockey stick.

(Hall at p. 2:27-35).

- 20. Notwithstanding the disadvantages associated with placing such a substantial joint in a high impact region, the all-wood hockey stick construction disclosed in Hall had the advantage of significantly reducing manufacturing costs while retaining uniformity of the hockey stick in two significant aspects.
- (a) First, because the entire front and back faces of the blade including the heel region were entirely formed of wood, no significant disjoint existed between adjacent regions of the blade. In other words, the entire front and back faces of the blade, even at the heel, were each made of wood and as such provided uniformity along the main impact zones of the blade.
- (b) Second, because the regions of the blade and shaft that formed the tongue and groove joint were formed of like materials (i.e. wood) having substantially similar physical properties, the joint was less likely to weaken over time and with use.
- 21. The tongue and groove joint of the all-wood hockey stick construction disclosed in Hall achieved widespread acceptance among hockey players and the hockey stick industry for some time and continues to be employed to this day in the manufacture of "traditional" wood hockey sticks. However, as described in the Background Section of the subject application, such traditional wood sticks, although providing a "feel" that many hockey players prefer or perhaps over the years have become accustomed to, nevertheless continued to have many shortcomings.
- 22. First and foremost, wood hockey sticks lacked durability often due to fractures in the blade, which frequently occurred at the joint between the blade and the shaft. Thus, frequent replacement was required. This is not surprising given the substantial and sudden impacts received by the blade during the normal course of play (e.g., swinging the blade at high speed at hard vulcanized rubber pucks, slapping the blade on the ice, smashing the blade into or between

the rink boards, goal bars, skates, etc.). Furthermore, due to the variables inherent in wood construction and manufacturing techniques, wood sticks were often difficult to manufacture to consistent tolerances (e.g., the curve and flex of the blade often varied even with the same model and brand of stick). Thus, when the stick was no longer in usable condition, the player was left without a seamless and comfortable replacement. Moreover, because the blade and the shaft were permanently attached to one another, the durability of wood hockey sticks was dependent on the individual durability of each component.

23. As explained in U.S. Patent No. 5,303,916 issued on April 19, 1994 in the name of Aubrey Rodgers (previously cited in the parent application, and attached as **Exhibit B** hereto), in an attempt to improve upon the durability of traditional wooden hockey stick constructions, contemporary hockey stick design -- with the contemporaneous advent of tubular non-wooden hockey stick shafts beginning in the mid-to-late 1970's to early 1980's -- increasingly veered away from the traditional permanently attached blade towards a replaceable blade configuration so that a damaged blade could be readily removed from the shaft and replaced with a new blade:

Hockey Sticks have traditionally been a one-piece wooden structure. During a typical hockey game, a hockey stick can impact the ice hundreds of times at force levels that often result in fracture or breakage of the stick. Breakage of hockey stick occurs most frequently at the blade portion or at the lower part of the shaft that extends from the blade portion. It is thus fairly common for many hockey players to replace a broken stick at least once during each hockey game.

In an attempt to improve the durability of a hockey stick without sacrificing the characteristics of weight, feel, and flexibility that are desirable in a hockey stick, materials other than wood have been resorted to in constructing hockey sticks. Thus although a wooden hockey stick has set the standard for weight, feel and propulsion of a puck, a new generation of sticks have been formed of plastic and aluminum, as well as laminates of fibrous, plastic and resinous materials. Generally plastic and aluminum provide good strength characteristics for a hockey stick, but the

weight, wear and feel of these materials do not command universal acceptance by hockey players.

Since most hockey players prefer a wooden hockey blade, much attention has been directed to the development of a durable, non-wooden hockey stick shaft that can be used with a wooden blade but is less likely to break than a wooden shaft. One result of such development effort is a hollow aluminum or fibrous hockey stick shaft capable of receiving a replaceable blade that can be formed of wood or plastic.

For example, U.S. Pat. No. 4,086,115 to Sweet et al. [issued April 25, 1978] shows a hollow hockey stick shaft made from graphite fiber and resin. The hockey stick includes a wooden blade with a tongue that engages one end of the hollow shaft and is bonded therein with a polyester resin mixture. It has been found that hollow shafts formed of graphite fiber and resin as disclosed in this patent are more durable than wooden shafts but are still prone to fracture under the usual forces that a stick is subject to in a hockey game.

('916 Patent at Col. 1:14-54).

- 24. As noted in the '916 patent, initially the tubular shafts were formed of aluminum or fibrous plastics. However, since most hockey players preferred a wooden hockey blade, the blades in these replaceable blade configurations continued to be made of wood.
- 25. Replacement hockey stick blades are typically comprised of a paddle portion and a hosel portion. The hosel portion extends upward from the paddle portion and includes an upper region that is adapted to being removably connected within the hollow of the lower portion of a tubular hockey stick shaft.
- 26. In order to retain a uniform hitting surface of the blade while providing a means to connect the blade to the shaft, the hosel on such wood replacement blades was also formed of wood. In this manner, the entire blade maintained a substantially uniform wood construction (even at the heel region) that players had become accustomed to by way of their use of traditional hockey sticks.

- 27. Also as noted in the '916 patent, while the replaceable blade configuration improved durability of the hockey stick by allowing independent replacement of the blade, the configuration did not overcome the continued lack of durability inherent in such wood blades.
- 28. In about the late 1980's to early 1990's, in an attempt to improve blade durability, replacement blades -- including those sold by Easton -- began being made of synthetic materials, such as plastic and composites.
- 29. Because there was no need for such synthetic blades to have a joint at the heel, such synthetic blades were typically formed as unitary synthetic structures that extended from the tip of the blade to the upper portions of the hosel. Hence, the advent of the synthetic replaceable blade effectively made obsolete the need for the traditional tongue and groove joint employed in traditional wood hockey sticks, such as that disclosed in Hall, and subsequently employed in wood replacement blades. It was simply counterintuitive to employ such a joint in a synthetic blade that could readily be formed as a unitary structure since the primary goal of making synthetic blades in the first place was to improve durability.
- 30. In addition to the added durability gained from removal of the mechanical tongue and groove joint, synthetic blades had many advantageous over wood blade constructions described above and in the Background Section of the subject patent application.
- 31. Notwithstanding the many advantageous of synthetic replaceable blades, there continued to be a significant number of players that preferred traditional wooden hockey sticks and replaceable blades even though more durable synthetic replaceable blades became increasingly available.
- 32. As described in U.S. Patent No 5,407,195 issued on April 18, 1995 to Antti-Jussi Tiitola et al. (attached as **Exhibit C** hereto), there was a perception by those of skill in the art

that the continued preference for traditional wooden hockey sticks was due to the failure of synthetic blades to provide physical attributes (e.g., stiffness, flex, weight, etc.) that sufficiently imitated the "feel" of wood blades while retaining the improved durability desired from such blades.

A blade for a hockey stick must be extremely strong in order for it to indure [sic] the tremendous forces developed between it and a puck. On the other hand, the blade must have a certain amount of flexibility so that the player has an acceptable level of "feel" while handling a puck or executing a shot. The optimum design of a blade furthermore includes a primary concave contact face which places a further limit on its construction; the blade also usually has a corresponding convex contact face which is more or less parallel to the concave face, i.e. in order to keep the weight of the blade low.

Many types of hockey sticks are presently known. Traditional blades for ice hockey sticks are made of one or more pieces (e.g. layers) of wood. A shortcoming of wooden blades is that they are generally not strong enough and thus do not hold up well under the usual conditions encountered when playing hockey. Moreover, labour and material costs for the manufacture of wooden blades are relatively high.

A wooden blade may also be reinforced with fiber (e.g. glass) fabric which is impregnated and bonded to the wooden surface with a synthetic resin. These types of reinforced wooden blades have given good results including good playing performance; This performance is mainly the result of the combination of low weight and high stiffness.

Blades made entirely out of synthetic materials are also known; these include composite blades comprising a fiber (e.g. glass) laminated core (see for example U.S. Pat. Nos. 4,059,269, 4,488,721, 4,591,155, 4,600,192, Finish Pat. No. 65018, etc.) However, difficulties are still encountered in providing a (synthetic) composite blade for a hockey stick that can withstand the substantial impacts to which it is subjected during use yet provide a "feel" comparable to that of traditional wooden sticks when handling the puck and executing a shot. Plastic blades may, for example, have good strength characteristics but may have (high) weight, (low) wear and/or feel (i.e. low stiffness) characteristics which may be unacceptable to some players. It is possible, for example, to obtain a light weight blade having good

stiffness by using a core of polyurethane foam, but, such a core may have a limited shear strength which may lead to internal fracture of the blade during use.

Accordingly, it would advantageous to have an alternative composite blade construction for a hockey stick or the like which may be strong, durable, light weight and of acceptable stiffness.

('195 patent at Col. 1:19-68).

- 33. Although, as noted in the '195 patent, the hockey stick industry continued to focus on imitating the "feel" of traditional wood blades using the more durable composite materials, many players nevertheless continued to prefer wood hockey sticks and replaceable blades.
- 34. I came to the realization that the preference for wooden hockey sticks was perhaps not only a derivative of the fact that the industry had failed to sufficiently "imitate" the "feel" of wood using synthetic materials construction materials, but that the preference may also be derivative of the manner by which the shaft and the blade of traditional wood hockey sticks were joined. In other words, while the industry perceived the preference for traditional wooden hockey sticks as primarily one of materials, I -- contrary to industry perceptions -- perceived the preference not only in terms of materials but also in terms of the manner by which the shaft and blade of traditional wood hockey sticks were mated or joined in such traditional hockey sticks.
- 35. The result of this realization is embodied in the hybrid hockey stick blade constructions and configurations disclosed in the subject patent application, which was first filed on September 15, 2000.
- 36. Prior to 2001 there were generally three categories of replacement hockey stick blades -- wood, plastic, and composite. See Exhibit H discussed below. The three categories, as previously noted, are descriptive of the primary construction materials of the hosel and paddle. Hence for example the hosel and paddle of a "wood" replacement blade are each substantially constructed of wood or wood laminate and are often overlaid with fiberglass to improve

durability. The hosel and paddle portions of a "plastic" blade are typically formed as a unitary injection molded structure made of PVC or like material. The hosel and paddle portions of a "composite" blade are typically formed of fibers (e.g., carbon, aramid, graphite, etc.) disposed within a hardened resin matrix material or resin overlaying a core structure such as foam or ABS plastic.

- 37. In about March 2001, Easton first sold its "Hybrid Replacement Blade" product.

 Easton continues to sell its Hybrid Replacement Blade products to this day.
- 38. Exhibits D-G are color copies of selected pages from Easton's 2001 through 2004 hockey catalogs depicting the various replacement hockey stick blades that were sold by Easton during those years. For each catalog the selected pages include (1) the front and back cover pages, (2) the pages of the catalog that illustrate Easton's replacement blades being sold that year, and (3) a page that includes a table of each replacement blade model and series thereof
- 39. As described in the catalog pages (Exhibits D-G), Easton's Hybrid Replacement Blades are adapted to being removably coupled to a hockey stick shaft. Each Hybrid Replacement Blade comprises a composite paddle portion and a hosel portion constructed of wood. The composite paddle is generally comprised of a foam core overlaid with multiple plies of fibers disposed within a hardened resin matrix. The heel region of the composite paddle is recessed. One end of the hosel portion includes a slot the other is adapted to being received within a tubular portion of a hockey stick shaft. The recessed region of the composite paddle is received within the slot and permanently connected thereto.
- 40. Easton collects sales data regarding the sales of its own products. Table 1 below summarizes Easton's Hybrid Replacement Blade products described in the attached catalog pages by year and sales figures for each fiscal year, which runs from December 1 to November

30. The sales information for 2004 is only from December 1, 2003 to September 26, 2004, which, together with the cancellation of the NHL 2004-2005 season, explains the drop in sales for 2004.

Table 1: Easton's Hybrid Replacement Blade Models

Fiscal Year	Hybrid Replacement Blade Models	Units Sold	Total Revenue in U.S. Dollars
2001	HYBRID RB	11,979	\$178,271
2002	HYBRID PRO JR. HYBRID PRO	43,012	\$554,744
2003	HYBRID PRO JR. HYBRID PRO HYBRID SYNTHESIS HYBRID LAMI	49,371	\$693,728
2004	HYBRID PRO JR. HYBRID PRO HYBRID SYNTHESIS HYBRID LAMI	40,349	\$574,994

- 41. As will be explained below in reference to the replacement blade market data, these sales reflect substantial year-to-year market gains in a highly competitive replacement blade market.
- 42. Easton also continually evaluates the replacement blade market. Easton relies on independent parties, such as Rennie Media, Inc., to collect sales data regarding relevant markets and publish its findings.
- 43. Attached as Exhibit H is a color copy of a report entitled "The U.S. Hockey Stick & Replacement Blade Market Sales for the 2003 Season" prepared by Rennie Media Inc. Market Research Group (hereinafter "Market Report"), which specifically addresses replacement blade sales data for the U.S. market.

44. As noted on page 1 of the Market Report, the report is specifically formatted to facilitate participating companies to calculate their market share in various stick and blade categories:

"This report is presented in a format that allows participating companies to calculate their market share in various stick and blade categories. Each company can also compare their average costs with industry-wide averages. And finally, 20003 sales are compared with 2002 sales.

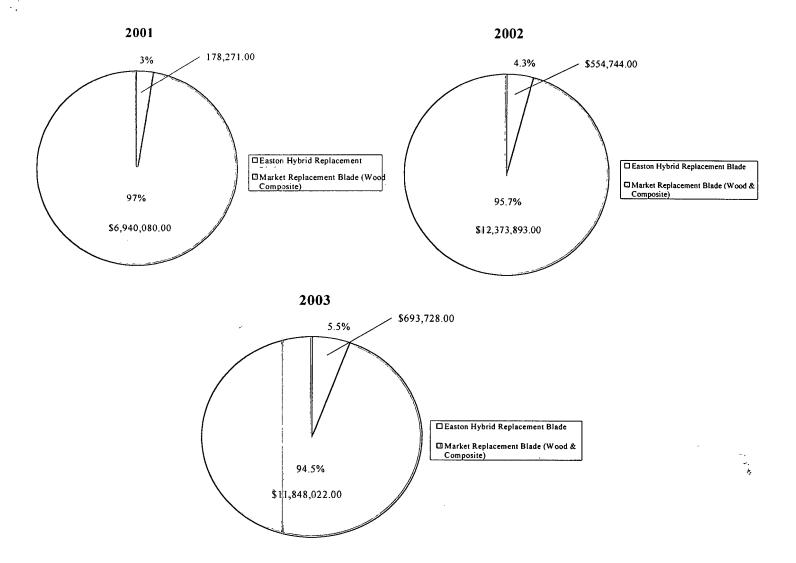
- Also noted on page 1 of the Market Report is the Methodology and Supplier Participation List, which lists the companies, including Easton, that returned questionnaires that formed the basis for industry wide report embodied in the Market Report. Based on my knowledge of the industry, the participant companies identified in the Market Report constitute the vast majority if not all of the major brands of hockey sticks and replacement blades in the U.S. market.
- 46. On page 6 of the Market Report is a summary of historical sales figures from 1999 through 2003 of replacement hockey stick blades. See also pages 24-28. This historical sales summary allows Easton—as well as Easton's competitors—to identify market trends related to the products it sells, competitiveness of its products, and the commercial success of its products.
- 47. The figures in the historical sales summary on page 6 of the Market Report are broken down based on the type or category of blade so as to distinguish composite replacement blade sales from wood and reinforced wood replacement blade sales and from plastic or PVC replacement blade sales. As to the wood blades, there are three sub-categories of wood replacement blades identified in the Market Report: (1) Senior Blades (fiberglass-reinforced

- hosel), (2) Senior Blades (hosel not fiberglass reinforced), and (3) Junior Blades (with and without reinforced hosels).
- 48. A consolidated summary of the three sub-categories of wood versus composite replacement blade sales set forth on page 6 of the Market Report is presented by year in Table 2 below.

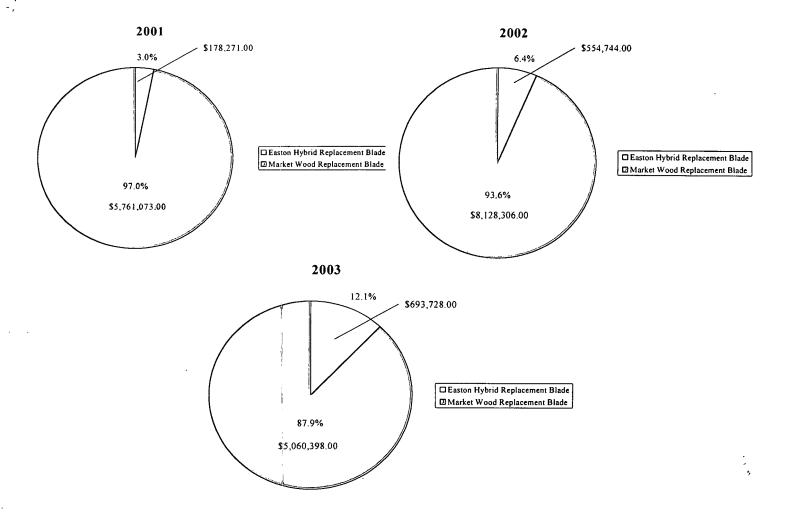
Table 2: Market Summary of Sales of Wood and Composite Replacement Blades

Year	Total Sales of Wood Replacement Blades	Total Sales of Composite Replacement Blade	Total Sales of Composite and Wood Replacement Blades
1999	\$11,372,425	\$1,811,311	\$13,183,735
2000	\$10,752,132	\$2,710,093	\$13,462,225
2001	\$5,761,073	\$1,179,007	\$6,940,080
2002	\$8,138,306	\$4,235,587	\$12,373,893
2003	\$5,060,398	\$6,787,624	11,848,022

- 49. Notably, the industry-wide composite replacement blade sales figures during the time-span in which Easton's Hybrid Replacement Blade products were on the market were generally trending upwards while at the same time-span the industry-wide wood replacement blade sales figures were generally trending downwards.
- 50. The graphical comparison set forth below of Easton's Hybrid Replacement Blade sales vis-a-vis the entire replacement hockey stick blade sales market set forth in the Market Report over the same time-frame is representative measure of the tremendous commercial success of Easton's Hybrid Replacement Blades.



51. The graphical comparison set forth below between Easton's Hybrid Replacement Blade sales vis-a-vis the entire wood replacement hockey stick blade sales market set forth in the Market Report over the same time-frame further illustrates the tremendous commercial success of Easton's Hybrid Replacement Blades



- 52. Hence, whether Easton's Hybrid Replacement blades are compared with replacement hockey stick market as a whole or vis-à-vis the wood replacement blade market only, which has lost market share over the three years in which Easton's Hybrid Replacement Blades have been on the market, it is clear that Easton's Hybrid Replacement Blades are gaining significant market share in what can only be characterized as highly competitive market.
- 53. The noticeable gain in market share and commercial success of Easton's Hybrid Replacement Blades, is even more pronounced when taking into consideration the very limited marketing that was expended on these products. Specifically, Easton did not mount any substantial advertisement campaign for the sale of its Hybrid Replacement Blades. In fact, the extent of advertising for Easton's Hybrid Replacement Blades amounted in most part to (1)

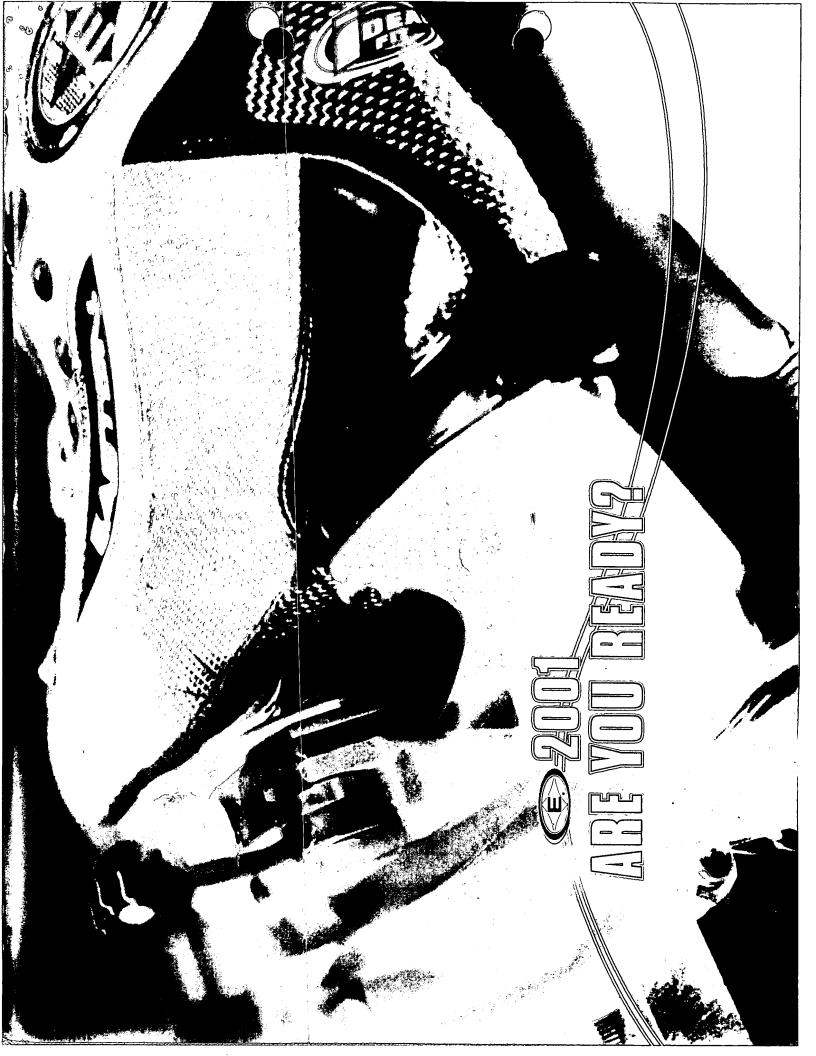
placement of the those products in Easton's annual catalogue, which Easton does for most if not all of its Hockey equipment products and (2) seeding of two hundred or so samples of the products with various distributors and players, which Easton does for most if not all of its Hockey equipment products.

- 54. Moreover, Easton did not engage in any special or unique relationship with retailers for the specific intent of encouraging the sale of Easton's Hybrid Replacement Blades in a manner different from its other hockey equipment products. Rather, Easton's Hybrid Replacement Blades reached retailers through the normal channels of commerce, and without special promotion or pricing.
- 55. Hence, Easton primarily relied upon word-of-mouth to sell its Hybrid Replacement Blade products.
- 56. Attached as **Exhibit I** are various trade magazines articles reflecting the recognition in the industry of Easton's Hybrid Replacement Blade products.
- 57. Thus, not only did the development of Easton's Hybrid Replacement Blades fly in the face of historical industry trends and developments in hockey sticks and replacement blades as set forth above, the significant commercial success of Easton's products constitute yet another compelling indicia of the inventiveness of Easton's Hybrid Replacement Blade products as presently claimed in the subject patent application.
- 58. I further declare under penalty of perjury that the foregoing statements made herein of my own knowledge are true and correct and that the statements made upon information and belief are believed by me to be true, and further, that these statements were made with the knowledge that willful, false statements and the like are punishable by fine, or imprisonment, or

both, under Section 1001 of Title 10 of the United States Code, and that such willful, false statements may jeopardize the validity of the subject patent application or any issue thereon.

Executed this 11th day of May 2005, at Van Nuys, California, U.S.A.

Edward M. Goldsmith



Modero - A119839, Edetrom - A119838, jr. Yzenzen - A119183, > Yzeman - A.19204, Standon - A.19103, 2.4.c. - A.19313, 842 102322 > 833 33.22 > Incorporation (Color / Japan) Jr. Shanahan - Al 1930Y > Yzerman - Ai19202, Shunahon - Al19111, Sclut - Al19312, > 160 grannes 7.11 Modano - All 3318, Lidstrom - All 1920. Modeno - Al 19369, Lidstrom - Al 19265, Jr. Yzerman - Al 19139, 2 Yearingto - 0319851, Schoolin - 019803. Yzcrman - All@204, Shanahan - Ali@103, Sakt - Ali@3il. Salte - A119383, Madara - A119333, िर्मान्त्रां क्षेत्र क्षेत्र मार्चे मार्चे क्षेत्र क्षेत्र क्षेत्र क्षेत्र क्षेत्र क्षेत्र क्षेत्र क्षेत्र क्ष ा अव्यापन के काला प्राप्त अपने का का का > interlock au graphite Lidstram - A119303 COM SIS < coloco cos > 200 grammes v 105 grands TOSSE SEGRETATION OF THE PROPERTY OF THE PROPE > Keylar /graphite interlock Jr. Shanahan - @119307 > Yzcrmun - 2119232, Sienziun - 2119111, Sakie - 2119312, > 100 Grams 200037>>341988 * Young 1119231, Standard 113354 Monano - A. 19312, Listrom - A. 1930. Sella - All 19303, Madena - All 19363. 335333488**>>** > Lond. Cont Mich. proffice 1. Ustrain - A. 1930% > Graphica interlock meson a redicarle > 200 Grams × 135 Cime 720008>310338 Section of the Section of 3322232

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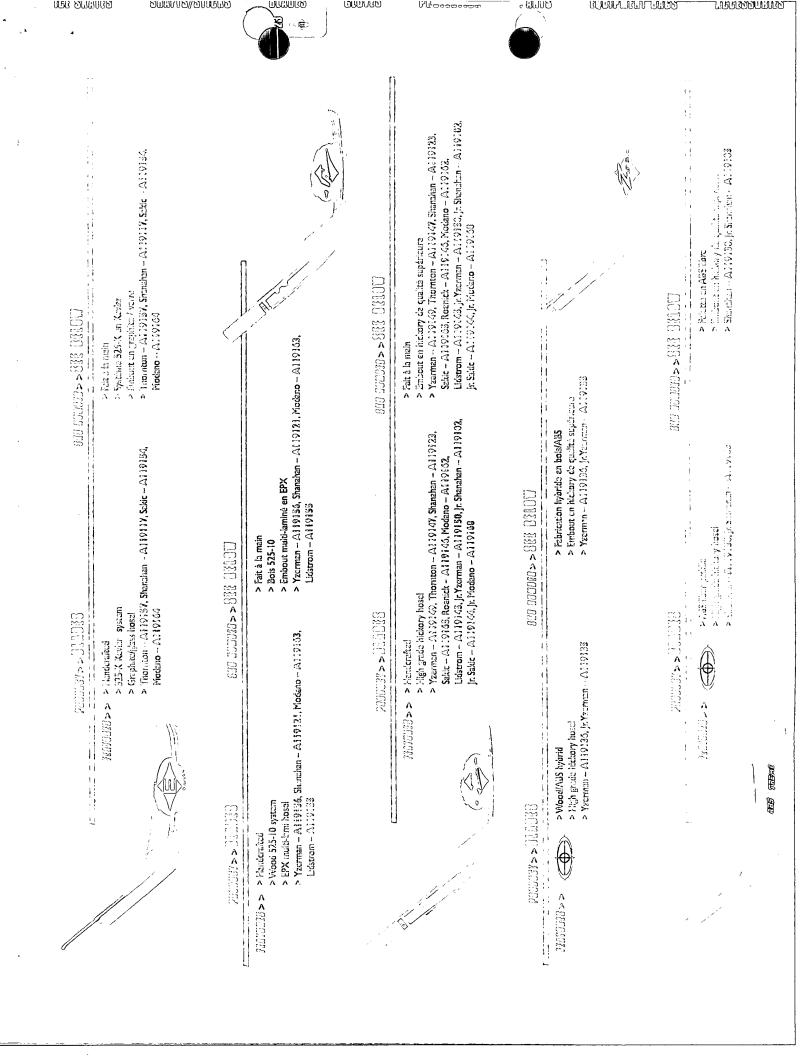
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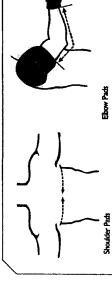


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Shin Guards

I. Measure from the center of the laver cap to the top of the slate boot. 2. Match the pizyer's shin measurement to the size of the shin guard. Shin guards are best fitted while the player is straing. To fit properly: Note:When fastened securely, there should be no gap between the paid and either the boays endersion of the shoulder paid or cuff of the glove. Byers who wear a short cuff styled ghove should choose the bringer model of the ebow paid. I. Measure the length between the shoulder pad and the cuff of the glove. 2. Match the player's measurement size to the size of the elbow pad in inches.

2 Match the player's chest measurement to the shoulder pad size in inches.

Note: Shoulder pads should ft snugly with the tips of the shoulders properly positioned under the shoulder caps.

I. Measure the player's chest just below the arm pits.

Notes Shin guards should be secured with proper shin guard strap.

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	Ž.	X-Treme		46 (28°-30°)	48 (30"-37")	(32-34)	52 (34:36)	54 (36"-38")
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HYBRID PROJE. HYBRID PRO









Sku: A119320 Yzerman /A119319 Modano / A119321 Shanahan / A119322 Drury / A119323 Yzerman Jr. / A119324 Modano Jr.

Technologie de fusion de carbone en instance de brevet
 Palette en carbone moulée par compression

Manchon en noyer blanc d'Amérique de grande qualité
 190 grammes/165 grammes Junior

Sku: A119156 Yzerman / A119163 Modano / A119155 Lidstrom / A119121 Shanahan

Features:

Handcrafted

🗢 Fait à la main

Wood 525-10 systemEPX multi-lami hosel

Système en bois 525-10
 Manchon multistratifié EPX



PRO/JR. PRO

Sku: A119146 Roenick / A119149 Yzerman / A119165 Sakic / A119162 Modano / A119145 Lidstrom / A119123 Shanahan A119150 Yzerman Jr. / A119102 Shanahan Jr. / A119144 Sakic Jr. / A119168 Modano Jr.

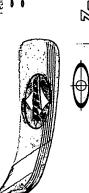
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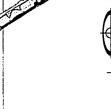
High grade hickory hosel

Features:

Fait à la main
 Manchon en noyer blanc d'Amérique de grande qualité







Manchon en noyer blanc d'Amérique de grande qualité

 High grade hickory hosel Wood/ABS hybrid

Bâton hybride en bois/ABS

Features:

Features

Sku: A119136 Yzerman / A119135 Yzerman Jr.





Sku: A119130 Shanahan / A119105 Shanahan Jr.

Features:

ABS/fiber paddle
 High grade hickory hosel

Palette en ABS/fibre
Manchon en noyer blanc d'Amérique de grande qualité

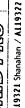
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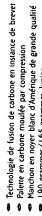
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HYBRID PRO/JR. HYBRID PRO







■ 190 grammes/165 grammes Junior

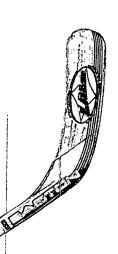
Sku: A119156 Yzerman / A119163 Modano / A119155 Lidstrom / A119121 Shanahan

Handcrafted

Features:

■ Wood 525-10 system EPX multi-lami hosel

Fait à la main
 Système en bois 525-10
 Manchon multistratifié EPX



PRO/JR. PRO

Sku: A119146 Roenick / A119149 Yzerman / A119165 Sakic / A119162 Modano / A119145 Lidstrom / A119123 Shanahan A119150 Yzerman Jr. / A119102 Shanahan Jr. / A119144 Sakic Jr. / A119168 Modano Jr.

Features:

Features:

Handcrafted
 High grade hickory hosel

Fait à la main
 Manchon en noyer blanc d'Amérique de grande qualité





Sku: A119136 Yzerman / A119135 Yzerman Jr.

Features:

Wood/ABS hybrid
 High grade hickory hosel

Features:



Bâton hybride en bois/ABS
 Manchon en noyer blanc d'Amérique de grande qualité





Sku: A119130 Shanahan / A119105 Shanahan Jr.

Features:

Features:

ABS/fiber paddle
 High grade hickory hosel

Palette en ABS/fibre
 Manchon en noyer blanc d'Amérique de grande qualité

05.001 [blades] pages 020.021



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Graphite/Aramid/Grip

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Graphite/Aramid/6np Graphite/Aramid/Grip

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Graphire/Aramd

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SHOULDER PADS

Li Measure the players chest just below the arm pits

2.1 March the placer's chest measurement to the shoulder pad size in inches

NOTE: Shoulder pads should fit shugly with the tips of the shoulders properly posmoned under the shoulder caps

Graphite/Arumid/Grip Graphite/Araniid/Grip Graphie/Aramid/Grip prophite/Aramid/6rip Graphite/Aramid/Gnp

Graphite/Aramd Graphite / Aramid Graphite/Aramid Graphue/Aramd

110 XX-Suff Flex 100 Suff Flex

Snp Lire 100 Ultra Lire 110 Ultra Lire 100

110 XX-Smit Flex

100 Suff Plex 85 M Suff Flex 1 90 Soft Flex 95 Stuff Flex 80 M Stuff Flex

Cyclone Graphite 95

F.Pex Graphite

STACHS ROINES

80 M-Stiff Flex

E-Flex - Yzerman Composite

Uhra Carbon yphoon 80

Cyclone Graphite 10

INI

Ur noondy

2-Bubble 75 6np

100 Soll Fles 75 M-Suff Flex 70 M-Sulf Flex 70M Sorts Flex

100 Snil Flex

Graphite/Aramid

Graphite/Aramid Graphite/Armini Graphite/Aramid/Grip

Carbon/6lass

Graphite/Glass Carbon Glass Graphite/Aramid

uraphite 'Glass Aramid/6lass Aramid/Glass Carbon/Glass

ramid/Glass/Gnp

Carbon/Glass Carbon/Glass Carbon/Glass

60 Sult Flex M-Sult Flex

Jr Eifles tzerman Composite

45 M-Srdt Flea

45 MSulf Flex

Said Fley

Jr Ulira Lire 65 Jr. Z-Bubble 50 h Gnp Lur 60

7 nooddy Jr Ulira Carbon

HOINNI

50 Suff Flex 60 Stell Flex

Aramid/Carbon/Glass Aramid/Carban 'Glass

110 XX-Sriff Flex 100 Suff Flex 85 M-Suff Flex 110 XX Stdf Fley

Z Bubble 100 Gnp Z-Bubble 85 Gnp

2.Bubble 110 Z-Bubble 100 6mp Lite 110 2 Buttole 85

Z-Bubble 110 Grip

Graphite/Aramid Graphue/Aramid Graphite/Aramid Graphite/Aramid

Graphic/Aramid

85 m Sudt File. 85 m-Sudt Files

85 M Still Flex

Synergy 85 Shanahan Synergy 85 Lidsrom

Synergo 85 Sakit

Synergy 85 Modeno mergy 75 Modano

COMPOSITE STICKS

Synergy 85 Drum Synergy 75 Druns

85 M-Sulf Flex

85 M-Suff Flex 85 M Suff Flex 75 M Suff Flex

75 H Sriff Flex 50 Suff Flex 50 Suft Hex

> Jr. Synergy 50 Modano Jr Synergy 50 Yzerman



ELBOW PADS

2) March the player's measurements size to the size of the elbow pad in inches 1.) Measure the length between the shoulder pad and the cult of the glove

NOTE. When tastened securely there shouldn't be a gap herween the elbow pad and either the biceps extension of the shaulder pad or cutt of glove. Players who wear a short, cutt sylved glove should choose the longer model of the elbow pad



SHINGUARDS

Shin guards are best titted while the player is sitting. To fit property

1.) Measure from the center of the knee cap to the top of the skale boot

2) Match the player's shin measurement to the size of the shin guard

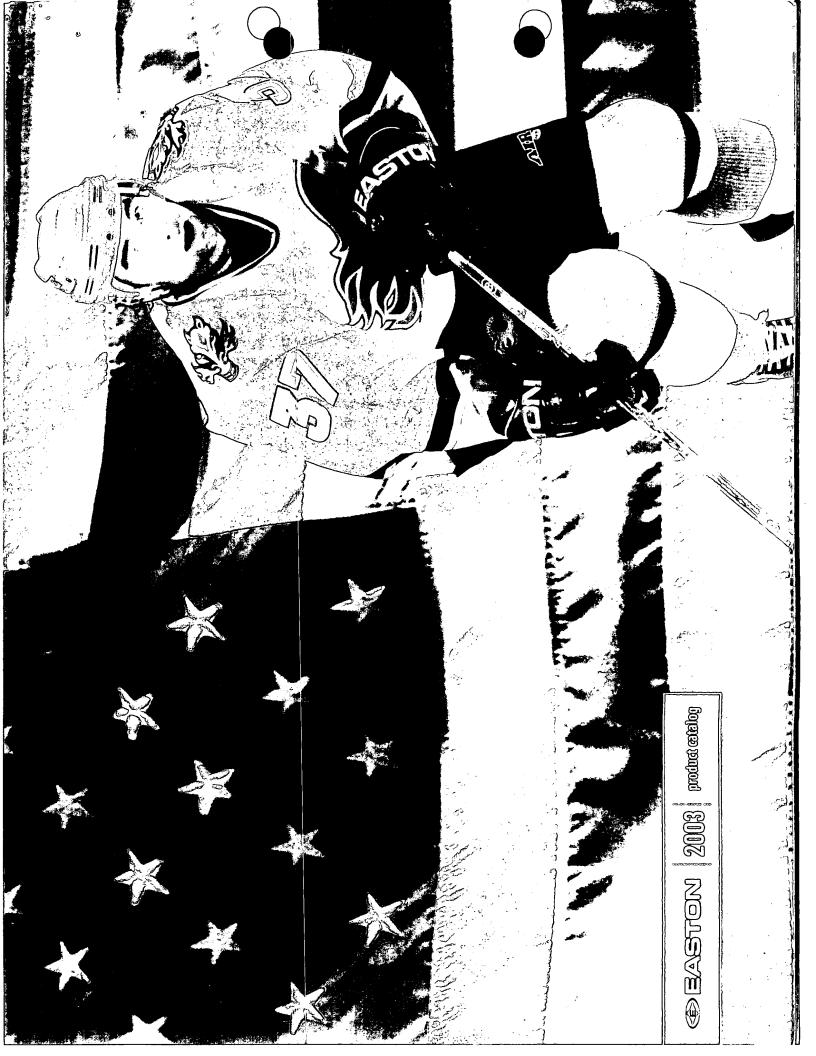
NOTE: Secure shin guard with the proper strap if it has not been builtin to

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:

'5-e: **A11934 Y**eoman / **A119336** Sakri / **A119335** Modrano / **A119337** Fidstron / A11**9339** Stimathan **A11933**6 Torrig / A119340 Igfiela

» Low-Mick blade design » Pro-spie earbon conseruction

Propietzing stractural design Signistica disde gedmoteg Mys hat welf alsakment formulation

saurah Shil a

features:



145 grammes

Design avec point de frappe has
 Ethers flow à base de carbone fre-spec
 Design streeturel unique
 Séduntétie de la fame ultra-natione







А т А119342 Sabic / А119343 Мифанн / А119344 Окинд

(MEM)

Perfores:

. Com bieb blade den ign

» Design avec point de frappe tias » faktifation à hase de carbone Prosspes

.5.1111111.1.5.

v Drsign structurel unique

· Pin-spet calban e onstruction • Pigantelam structional Gesign • Ultra likin blade greenetin • Bent kot métt attack

· 140 grams

s beometrie de la tarre altas mine > 140 grantars Sections | Safe than







1. A119346 President J. A119345 Medano In.

(rature).

> lon-tick blade design

Prater :

o Proprietary structural design o Ultra thin black ageogetry o New Bott melt atlachment forwariation o 139 grads. z Pro-spek carbon construction

• Geometrie de la lame vitra-minor • 110 grammes

» Design avec point de frappe bas » Fabrication à Dase de carbone 910-spec

> Design stracturel unique

C MIENWY)

•



2-Carbon/ Z Carbon Jr. Canadada

PATENTED

-n, A119301 Yerman / A119303 Sakic / A119308 Medann / A119302 Endstron / A119304 Sharahan / A119359 Durny A119325 Weiman ic / A119326 Goddon Ir,

ealines:

· Pro-specientian condining

» froprietary strutural design » Proprietary Paamovic frons Herit ame » Ultar thin blade geometry . 155 grams/159 grams/re,

a Entrication à Cere de carbone Pressure Calibration

Design straturel unique
 Lore unique aret posul d'infletion (exilisé paraholique (focus Herim)
 Géométrie de la lacos (d'action minte

155 grammer(1) to quantity be,



Ultra Lite/Ultra Lite Jr. mannin

- v. A119204 Victiman / A119314 Sakie / A119309 Merland / A119206 Lufström / A119108 Shamahan
 A119158 Victiman b. / A119307 Shamahan fr.

| Patieres | Patieres

Sumplemental and in

Ultra Graphite Remum

-- A119202 (Yerman / A119112 Set of / A119110 Modano / A119201 Highrigon / A119111 Shinndhari

Festines

Straphire interford traided sack

for thistor, sometimes of property of the prop

Hybrid Synthesis 🚄







Sku: A119331 Yzerman / A119334 Sakic / A119330 Modano / A119333 Shanahan / A119332 Drury

Features:

- > 100% graphite blade construction > Low-kick blade design
- > New, 360 degree Lock joint
 > New hot melt attachment formulation
 > Mylar reinforced fiber braid
 > EPX-T hybrid hose!
- > 160 grams
- Features:
- Lame fabriquée de graphite à 100%

- Design avec point de frappe bas
 Nouveau! Blocage du joint à 360 degrés
 Tresse de fibres renforcée au Mylar
 Tuyau hybride £PX_T > 160 grammes







Hybrid Lami 🔦









Sku: A119350 Yzerman / A119351 Sakic / A119348 Modano / A119349 Shanahan / A119347 Drury

Features:

- > 100% graphite blade construction
 > New, 360 degree Lock joint
 > Mylar reinforced fiber braid
 > EPX multi-lami hosel
- Tuyau multi laminé EXP

Nouveau! Blocage du joint à 360 degrés Tresse de fibres renforcée au Mylar Lame fabriquée de graphite à 100%

175 grammes









 Lame fabriquée de graphite à 100%
 Nouveau! Blocage du joint à 360 degrés
 Tresse de fibres renforcée au Mylar Features:

> 100% graphite blade construction > New, 360 degree Lock joint > Mylar reinforced fiber braid

Features:

- - > Tuyau de noyer de haute qualité

High grade hickory hosel195 grams/165 grams Jr.

195 grammes/165 grammes







Fibre Plus

Sku: **A119154** Sakic / **A119164** Modano / **A119117** Shanahan

> Fait à la main Features: > Handcrafted> 525-K Aramid system> Graphite/glass hosel Features:

Système à base d'aramide 525K
 Tuyau à base de graphite et de verre

Lami

Sku: A119156 Yzerman / A119163 Modano / A119155 Lidstrom / A119121 Shanahan

Handcrafted Features:

> Fait à la main

> Wood 525-10 system > EPX multi-lami hosel

Système de bois 525-10
 Tugau multi laminé EXP





Sku: A119146 Roenick / A119149 Yzerman / A119165 Sakic / A119162 Modano / A119145 Lidstrom / A119123 Shanahan A119150 Yzerman Jr. / A119144 Sakic Jr. / A119168 Modano Jr. / A119102 Shanahan Jr. (A119170 P23 / A119169 P4 A119172 P23 Jr. / A119171 P4 Jr. Europe Only)

Features:

Features:

Handcrafted

> Handcrafted > Fait à la main > High grade hickory hosel | > Tuyau de noyer de haute qualité





Z-ABS/Z-ABS Jr. rements

Sku: A119136 Yzerman / A119135 Yzerman Jr. Features:

 > Hybride de bois et de ABS
 > Tuyau de noyer de haute qualité > Wood/ABS hybrid > High grade hickory hosel Features:





Sku: A119130 Shanahan / A119105 Shanahan Jr.

Features:

Features:

> Palette de fibres et de ABS
> Tuyau de noyer de haute qualité ABS/fiber paddleHigh grade hickory hosel





SHAMANAN LIDSTROM MODANO DRURY SAKIC SHAMAHAN JR. YZERMAN JR. MODANO JR, SAKIC JR. YZERMAN ROEHICK Θ Ò C CULTUTUDES auranous registra CONTROL DANGE (M. 46) CONTROL OFFICE (CONTROL OF CONTROL OF CONTRO CITIZED COMMODILE Oddition all pro-WOOD BLADES ර ට ට ට ට ට ට ට යි සි

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YZERMAN JR.

MODANO JH.

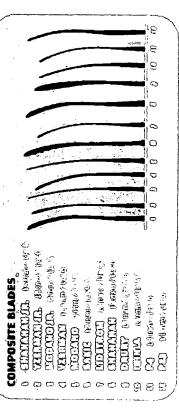
YZERMAN

MODANO

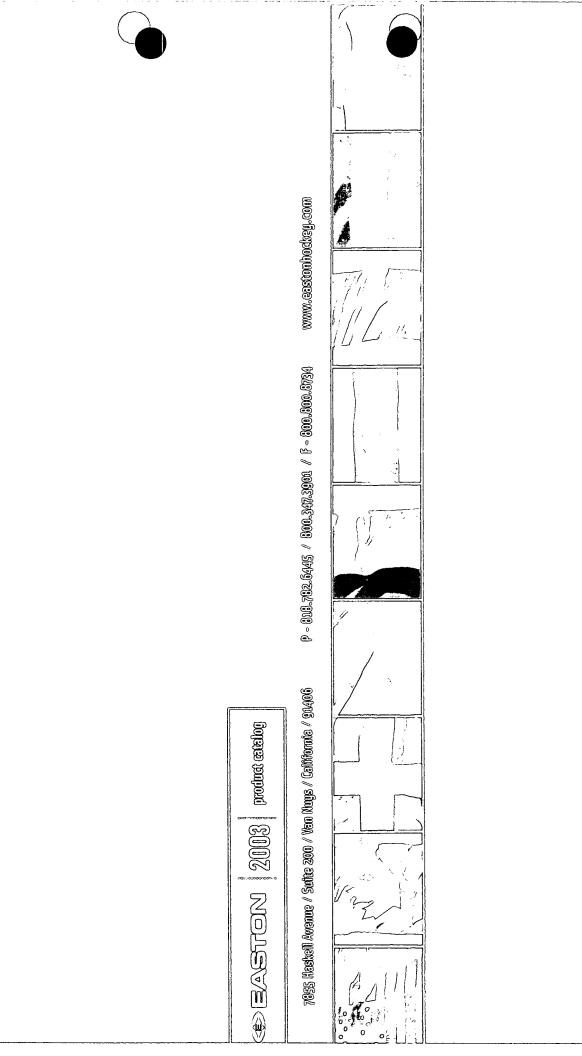
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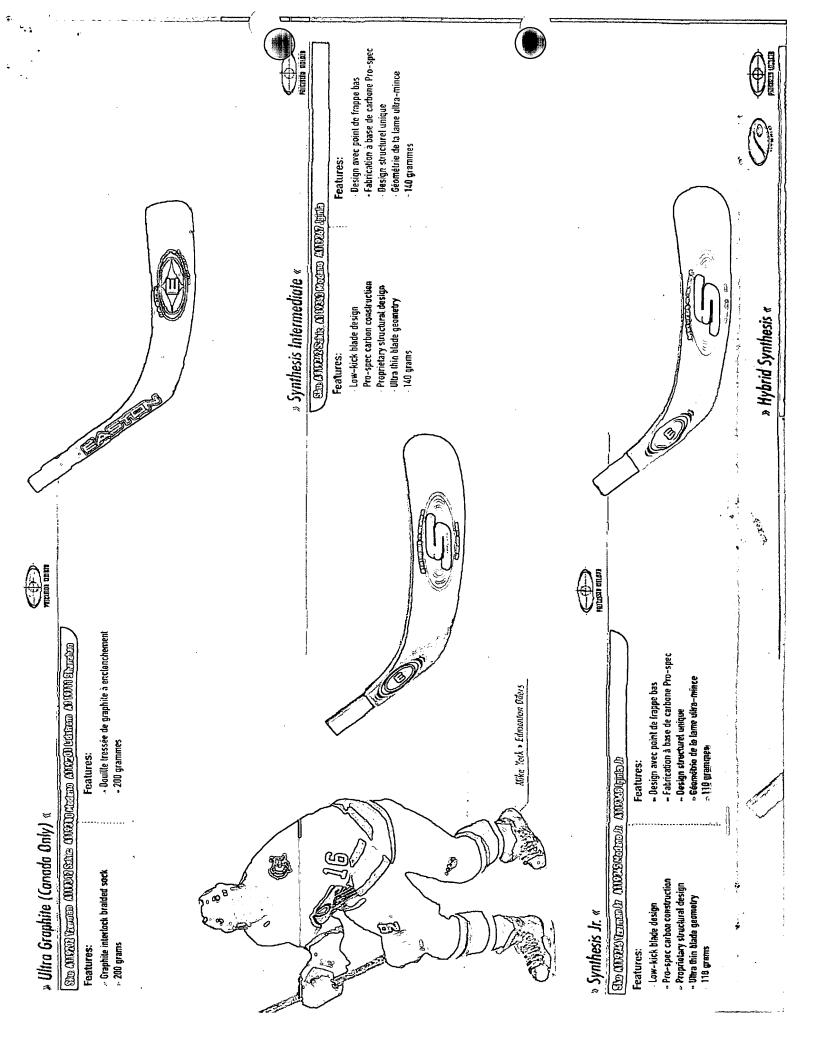
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» Hybrid Synthesis «

Sime Annoted Verrmen Annoted Seithe Annoted Modern Annoted Chanellen Annoted Chun

Features:

Features:

- » 100% graphite blade construction » Low-kick blade design
- » Lame fabriquée de graphite à 100% » Design avec point de frappe has
- » Nouveau! Blocage du joint à 360 degrés
- » Tresse de fibres renforcée au Mytar

» Mylar reinforced fiber braid

» EPX-T hybrid hosel » 160 grams

» New, 360 degree Lock joint

- » Tuyau hybride EPX-T
 - » 160 grammes

» Hybrid Lami «

Stra. Minke of Verencen. Minke of Selfte. Minke of Modern. Affice of Strengton Lines of Drum

Features:

Features:

- » 100% graphite blade construction

- » Mylar reinforced fiber braid » New, 360 degree Lock joint

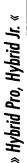
» Nouveau! Biocage du joint à 360 degrés » Tresse de fibres renforcée au Mylar » Lame fabriquée de graphite à 100%

- » EPX multi-lami hosel » 175 grams
- » 175 grammes

» Tuyau multi laminé EXP







Nytitletro Stra. AMERIS Veramen. AMERIS Seithe. AMERIS Wodeno. AMERIS Shenehan Uffutfolds Stra. AMERIS Veramen Jr., AMERIS Wodeno Jr.

Features:

- » 100% graphite blade construction
 - » New, 360 degree Lock joint
 - » Mylar reinforced fiber braid
 - » High grade hickory hosel

» 195 grams/165 grams Jr.

Features:

- » Lame fabriquée de graphite à 100%
- » Nouveau! Blocage du joint à 360 degrés » Tresse de fibres renforcée au Mylar
 - - » Tuyau de noyer de haute qualité » 195 grammes/165 grammes

» Fibre Plus «

Sime Antones Settle Antones Wodeno Antonia Stenetien

Features:

- » Handcrafted
- » 525-K Aramid system
- » Graphite/glass hosel

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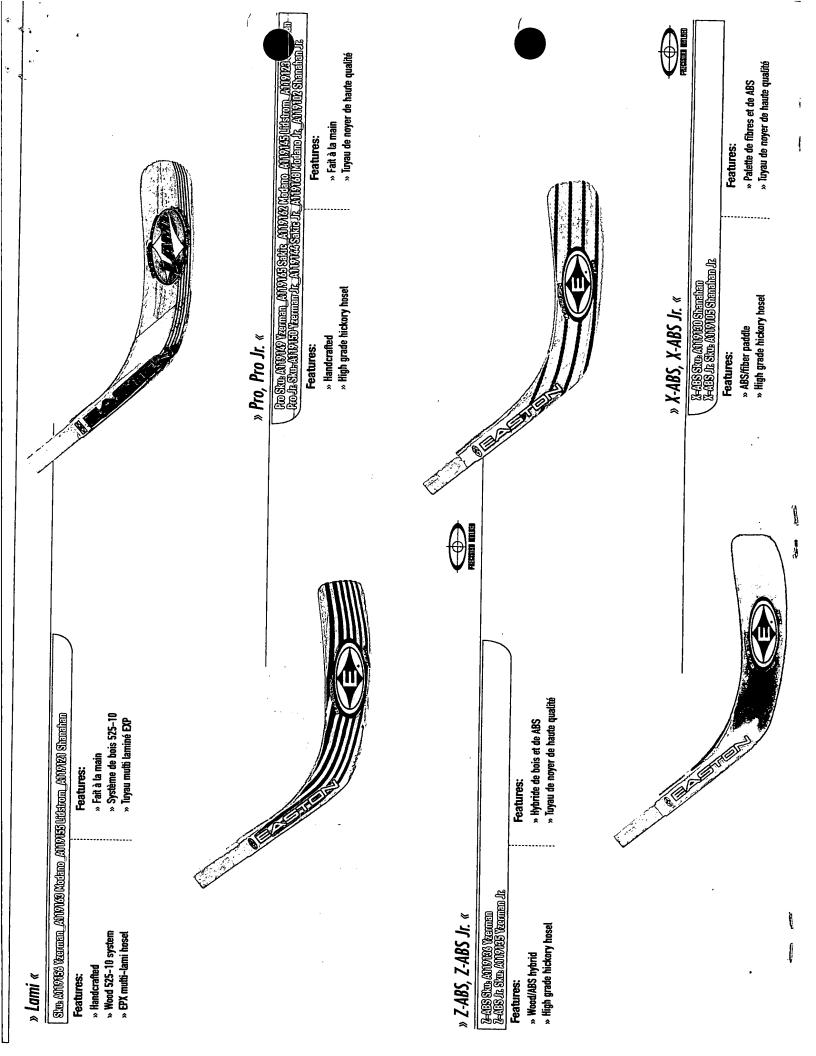
» Système à base d'aramide 525K » Fait à la main Features:

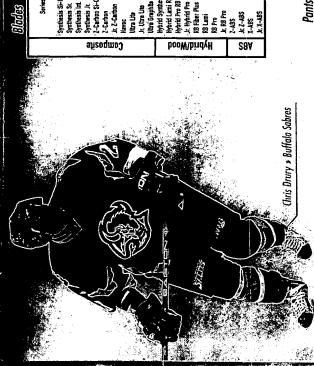
- » Tuyau à base de graphite et de verre











Burk Venear/Class Laninaba Birch Venear/Class Laninaba Birch Venear/Class Laninaba Birch Venear/Class Laninaba Birch Venear/Class Laninaba Glass Laninaba Class Laninaba

Sakir Sakir Sakir Sakir

Yzerman Yzerman Yzerman Yzerman Yzerman İz

Lidstrom

Yzerman Yzerman fzerman Jr. Yzerman Zzerman Jr.

Sakir Sakir Sakir

Lidstrom Lidstrom

95 Stiff Flex 95 Stiff Flex 70 M-Stiff Flex 70 M-Stiff Flex

Suffness
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110 XX-Suff Fax

Mid 1/2"
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1ginla Jr.
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Heel 1/2 12 mm 1e 5.5 Lie 5.5 Lidstrom Lidstrom

Mid 973 15 mm 14 6

Heel 1/2 12 mm Lie 5.5 Drury Drury

Matel Model Acerban 110 Hydrid 2-Cerban 100 Hydrid

,	Pants							
	Product	Model	XXS / ITP	AS / IP	d/S	E/E	9/1	
	Preduit	Modele						
	Parits	Synergy		46 (28"-30")	(26-36) 87	50 (32"-347	52 (34"-36")	ᇔ
	Parts	¥		(16-31) 99	(20,-32)	CMC-70 05	52 (34'-36")	Z,
	Parts	Air Junior		T00 CZZ-247	120 (24'-267	C8297) 091	CR-32) 991	罿
	Pents	Air Women	(42-52)	CDE\$23 97	LB (30°-32")	CM-'25) 02	52 (34"-36")	æ
	Parts	量		46 (28°-30")	CE-30) 87	(H-75) 05	52 (34'-36)	ス
	F ST	With Life Jr.		(32-22) 001	T20 (24'-26")	140 (26'-28")	160 (28"-30")	皇
	Pents	X-freme		(102-30) 99	CZC-JC) 879	50 07-34)	52 (34'-36)	ᄎ
	Parts	X-Treme Jr.		(22-22) 001	L929Z) 0Z1	140 (26"-28")	160 (28"-30")	룓
177	Parts	Octane		44 (ZF-3U)	(20:-30) 87	C# - 75 05	52 (34"-36)	æ
ž	Parts	Octams Jr.		CAS-220 001	L929Z) 0Z1	(8292) 071	(JDE8Z) 091	喜
	Pants	Synergy TTH			(A)	(37-37)	(8-12)	
	Parts	Referee				(32'-34')	(347-367)	•

Aspen Core/Aircraft Veneer Aspen Core/Aircraft Veneer Aspen Core/Aircraft Veneer Aspen Core/Aircraft Veneer Aspen Core/Aircraft Veneer Aspen Core/Aircraft Veneer

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2	Product	Model	ALL / SXX	41/SX	SIP	E	1/6	XL / TG
Syneryy 46 (67°-30") 45 (80°-32") 45 (80°-32"	Preduit	Modele			_		-	
Air John 46 GT -317 10 46 GT -317 10 10 GT -327 10 GT -	F.	Synergy		46 (28"-30")	(26-06) 87	C9536) 05	52 (34"-36")	(36,-38)
Air Junior Air Junior 100 CZ-257 120 C32-257 Air Wanne Air C32 7 46 CTF-277 46 CTF-277 Air C32 7 A	Pants	Ā		(46-30)	(20,-32)	CMC-750 05	52 (34'-36")	- SE - 383
Air Women 44 GG - 787 14 64 GT - 377 14 GGT	Parits	Air Junior		C42-22) 001	L9292) 021	L8292) 091	CR-32) 991	180 (30" -32")
Ultra Lie 4.617-377 48.007-327 10	Pents	Air Women	(82-92) 15	Cat - 32) 97	1,20,-32	C7EZE) 05	52 (34'-36")	24 (36"-38")
Ultra Lite Jr 100 CZ - 247 120 CN - 247 120	Pants			(105-30) 97	CZE-300 87	C#-75) 05	52 (34"-36")	(R-30)
X-Trans 4.6 (27-37) 48 (37-37) Ctrans 1. (10 (27-37) 130 (37-37) Ctrans 1. (10 (27-37) Ctrans 1. (10 (27-37) (30 (37-37) Ctrans 1. (10 (37-3	Patts	Ultra Lite Jr.		100 (2224)	L9292) 021	(8292) 071	160 (28"-30")	180 (30" -32")
A-Yeme A. 100 (27-24) 120 (34-24) 10 (47-27)	Pents	X-Treme		Cat-32) 97	18 (30 -32)	(35-35)	52 (34'-36)	St (3638)
Octains 1. 44 (27°-30") 48 (90°-30") 49 (90°-30") 49 (90°-30") 50 (90°-20") 50 (90°	Pants	X-Treme Jr.		(22-22) 001	L929Z) 0Z1	140 (26"-28")	160 (28"-30")	180 (30" -37")
0dams Jr. 100 CE-727 001 1 November 1 (25-727) 11 (25-727)	Parts	Octans		46 (217-317)	(20-32)	CM-70 02	52 (34"-36")	54 (36"-38")
Synergy YTH	Pants	Octams Jr.		(42-22) 001	L92-52) 021	(8292) 051	160 (28"-30")	188 (30 - 32)
	Parts	Synergy TTH			(z-jg)	(32-22)	(97-72)	(287-307)
Kenaree	Pants	Referen				(3234.)	(1416)	(36-387)

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Ulfra Life Pro Ultra Lite X-freme Synergy YTH

Shoulder Pads

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ght.		"	Š.	¥.	¥.	Ÿ	Ţ	Ŷ.	
Height	9.5-01.7	32 - 36	S		J. L-S			Jr. L-S	
	<u>.</u> 1.5	28-37		Jr. S-Jr. M	A. SK. M	Jr. S-Jr. M		Jr. S-Jr. H	1
	3-35	37-38							S#C
VeboM	Models	Chest Size	Symenty	-2		X-Trems	Classic	Octane	Synaergy YTH
Product	Preduit		Shardder Pad	Shoulder Pad	Shoulder Parl	Shaulder Pad	troutder Pad	Shoutder Pad	houlder Pad
1			S	S	s	u	Ś	S	S

Mid 1/2 12mm Lie 4

Mid 378 9mm Lie 5

leel 1/2 12mm Lie 5.5 Drury Onery Onery

Hid 1/2 12 mm Lie 5.5 Sakie Sakie Sakie

loe 3/4 18 mm Lie 6 Shanahan Shanahan

Heel 1/2 12 mm 14 Lie 5.5 Lidstrom Lidstrom Lidstrom

Mid 9/16
15 mm
Lie 6
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Wood Stick Curves

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	Product	ModeV			Height	Ē	
	Preduit	Models	34.45	JU.5-5	4.10-56		2.86.4
		Chest Size	2428	28-37	24-28 28-37 37-36	36-40	4
	Shoulder Ped	Syments			S		₹
	Shoulder Pad	Ę		Jr. S-Jr. M		¥-S	₹
7	Shoulder Para			7. S-L. M	Jr. L-S	¥	Ī
	Shaulder Pad	X-Trems		Jr. S-Jr. M		?	₹
	Stootder Pad	Classic				Ţ	Ĭ
	Shoutder Pad	Octane		Jr. S-Jr. M Jr. L-S	Jr.1-S	? X	ī
	Shoutder Pad	Syntergy YTH	S-#-L	1			
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Elbow Pad Elbow Pad Elbow Pad Elbow Pad Elbow Pad Elbow Pad

S-L-YTH

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	3.63.8.						۳.
Vabok	Madéla	Sperey		9	K-freme	Octana	Synergy TTH
Product	Preduit	Shin Guzard	Shin Guard				
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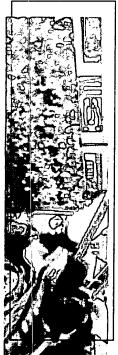


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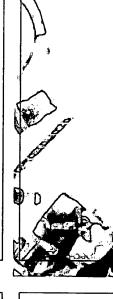
The U.S. Hockey Stick & Replacement Blade Market





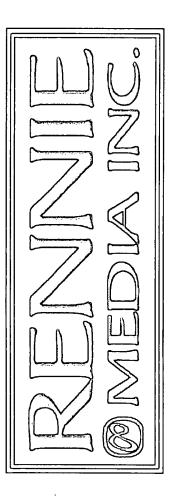






Sales for the 2003 Season

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The U.S. Hockey Stick & Replacement Blade Market

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	Sales	Sales for the 2003 Season
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	m	SALES SUMMARY Total Sales Shipped January 1, 2003 Through December 31, 2003
	ß	2003 Sales Compared to 2002 Sales
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ned Name of the U.S. Hockey Stick & Replacement Blade Market - 2003 Sales (Besserve of the U.S. Hockey Stick & Replacement Blade Market - 2003 Sales (Besserve of the U.S. Hockey Stick & Research Group - Box 1000, Collingwood, ON, LOY 144 - Tel 705.445.7101 - Toll Free 1.806.527.7740 - Fax 705.445.8050 - www.rennies.net

April 2004

The U.S. Hockey Stick & Replacement Blade Market

Sales for the 2003 Season

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GOALIE STICK SALES

30

Total Sales Shipped January 1, 2003 Through December 31, 2003

2003 Sales Compared to 2002 Sales

Methodology and Supplier Participation List

ALCONORUS SERVICAL

sticks sold in the U.S. market. Supplers were asked to provide data on stick and blade sabssidelivered during the 2003 calendar year (Lanuary 1st to December 31st, 2003). Shipment data includes product shipped to U.S. retail accounts only and is reported in U.S. dollars. Bio Market Bosearch Group of Borvio Media for circulated quastionivaires to all key suppliers of backay sticks, replacement blacks, seet goalie

Suppliers returned each "individual company" questionnaire to Gaviller & Company LLP Chartered Accountants. The accounting tern consolidated all Individual company" data into an inclusing wide region. This sepont was amendated and published by Remis Mode for on April 19, 2004. This report is presented in a formal that allows participating companies to casculate their market share in various stick and blade categories. Each company can also compare their average costs with the industry-wide averages. And lines?, 2003 sales are compared with 2002 sales

2000 Participating Suppliers

- Besier Nike Hockey USA Inc
 - Bright's Casstom Pro Mig-
- Easton Sports
- Hespeler Hockey
- Innovative Hockey Inc.
- ITECH Sport Products Inc. စ်ကေတာက်Ωံ
 - Mississ Hexchay
- Montread Hockey Co.
- Sherwood-Diofel Corp. Ltd. The Hockey Company

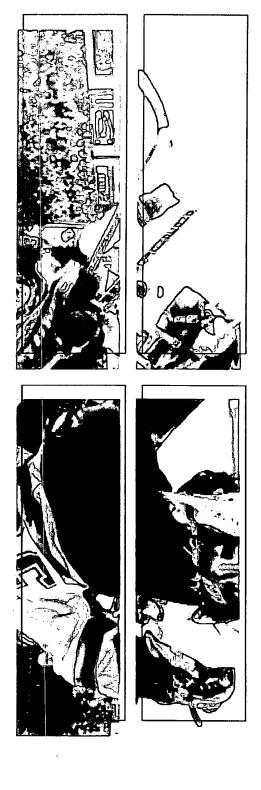
2002 Participating Suppliers

- Bauer Nike Nockey USA Inc. Brian's Custom Pro Mig
- Easton Sports
- Frankin Sports
- Hespeter Mcckey
- Innovative Hockey Inc.
- **TECH Syart Products Inc**
 - Louisville Hockey
 - Mission Hockey
- Monareal Mockey Co
 - Rockel Hockey
- Sterwood-Oralist Corp. Ltd. Sands Hockey Inc.
 - The Hockey Company

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Sales Summary

VARALLE CONTRACTOR CON



The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

Total Sales Shipped January 1, 2003 Through December 31, 2003

(reported in U.S. dollars)

Dollar Marcel Share	00 Our 2000 Sales Total Sales	*6:1	4.2%	39'66	9.70%	13.0%	2.7 W	\$0'0		M/A Assessment Constitution of the Constitutio	MA	80.4%
Dodlar Salas	Our 2003 2003 Tutal Sales Total Sales	1	4	1.46	.6	131	2.	0)	0	Canada Control of Cont		80,
Dollar	2003 Total Sales	\$ 9,004,132	3,417,527	32,017,473	1,105,715	10,441,404	2,156,550	MIL	MIL	AWA	VA	\$ 64,822,801
		Hockey Stecks and Shahs Adull Wood Sticks	Junior/Youth Wood Sticks	Adult Graphte or Composite Stroke	Junior Graphite of Composite Sticks	Adull Graphite or Composite Shulls	Junior Oraphite or Composite Shaffs	Adull Akımlınum Silcke	Junier Aluminam Sticks	Adull Auminum Shaffe	Junkir Aluminiem Skafts	TOTAL

ጸ.4%	3.4%	1.6%	1.3%	0.0%	14.7%		ጋ.5%	1.0%.	9.1.0	0.3%	4.9%	4
								and an open supplies to the supplies of the su		And the second s		
\$ 6,787,624	2,772,516	1,272,773	1,015,109	Nit	\$ 11,848.022		\$ 2,811,562	776,025	119,728	238.311	\$ 3,945,626	4
Replacement Blades Compassile	Serior (liberglass reinforced hoset)	Senior (haset not reinforced-reinforced)	.tunier (with any) without reinforcins) tesaks)	DAG	TOTAL	Goalle Sticks	Foam Care Slicks	All Cahier Service Sticks	All Caher Intermediate Sticks	All Other Juryor Shoks	TOTAL	TOTAL II S MADKET

| Record National Color of the U.S. Hockey Stick & Replacement Blade Market - 2003 Sales | Sal

The power of information

2003 Sales Compared to 2002 Sales (reported in U.S. dollars)

AND SOME THE PROPERTY OF THE P

	•	Dollar Sales	alts		Dollar Mar	Dollar Market Share	
	2003 Total Sales		2002 Total Sales	Change	2003 Total Sales	2002 Total Sales	Charige
Hockey Sticks and Shafts						,	ŧ
Adult Wood Sticks	\$ 5,004,132	69	12,865,326	30.0%	11.2%	10.00 10.00 10.00	. 7.0%
Junior Youth Wood Sticks	3,417,527	ŀ~	5,027,644	32.0%	45.52 15.52	-1.5%	3.0%
Adult Graphite or Composite Sticks	32.017,473	ca	18,556,847	, 72.5%	39.6%	86.7%	12.9%
Junior Graphite or Composite Shoks	7,785,715	ua.	2,961,886	+ 162.9%	97%	4.3%	5.485.
Aguit Graphite or Composite Shatts	10.441,404	**	11,990,257	12.9%	13.0%	7.50	4.2%
Junky Graphite or Composite Shafts	2,156,550	0	1,796 568	30.0%	2.70	2.6%	0.1%
Ağull Aturiyinin Slicks			Ϋ́Z	No change	0.0% 0.0%	0.0%	No chance
Junkar Muminum Slicks	SII		N:A	No change	%0 c	0.0%	No change
Ağul Alminum Shafts	V.N	۔	۲.۶ ۲	NO	P&A	89 <u>%</u>	* * * * * * * * * * * * * * * * * * *
Junky Munimum Shafts	Y/N	بے	¥;X	N/A	NEA	NAM	NSA
TOTAL	\$ 64,822,801	•	53,196,508	4 21.9%	80.4%	76.5%	3.6.€
Replacement Blades							
Composite	\$ 6,787,624	₩)	4,235,587	• 60.3%	8.4%	6.1%	\$0.53 \$0.53
Senior (fiberglass-reinforced hosel)	2,772,516	ω	3,947,314	32 ES	3.4% 	5.7%	. 2.1%
Serior (hosel not reinforced-reinforced)	1,272,373	e	2,363,903	* 46.7%	16%	3.4%	1.8%
Junior (with and without reinforced hosets)	1,015.109	Œ:	1,827,009	35 p. p.p.	1.3%	2.6%	1.0%
PVC	- N	_	Ĭ	No change	0.0%	0.0%	No change
TOTAL	\$ 11.848,022	ه	12,373,893	. 4.2%	14.7%	17.8%	3.1%
Goalle Sticks							
Foam Core Slicks	\$ 2,811,562	99	2,566,473	4 9.5%	3.5%	3.6%	, 0.1%
All Other Senior Sticks	776.025	w	1,072,415	. 27.6%	1.0%	1.5%	%50 ·
All Other Intermediate Sacks	119.728	m	39.615	, 202.2%	0.1%	0.1%	No change
All Other Junior Sticks	238.311	_	319 005	25.5%	0.3%	0.5%	0.2%
TOTAL	\$ 3,945.626	e0 •••	3,998,308	1.3%	4.9%	5.7%	. 0.8%
TOTAL U.S. MARKET	\$ 80.616.449	σ.	69,570,709	+ 15.9%	100.0%	100.0%	

KI NNIT. The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales PARATIVE. Market Research Group • Box 1000, Collingwood, ON, LOY 414 • Tel 705.445.7161 • Toll Free 1.866.527.7740 • Fax 705.445.8650 • www.rennies.net

Historical Sales Summary

(reported in U.S. dollars)

AND THE PROPERTY OF THE PROPERTY OF THE PARTY OF THE PART

		2003 Total Sales		2002 Total Sales		2001 Total Safes		2000 Total Sales		1900 Total Sales	3	Change
Hockey Sticks and Shatts												
Adult Wood Slicks	w	9,004,132	45	12,865,326	•	16,585,168	S	17.204.257	69	18,518,273	•	30.0%
Junion/Youth Wood Sticks		3,417,527		5.027.644		5,524,782		5.569,505		5,113,333	٠	32.0%
Adult Graphile or Composite Sticks		32,017,473		18,556,847		2,982,726		3,109,885		3,866,490	+	8,6'2/
Junior Graphite or Composite Sticks		7,785,715		2,961,866		2.019.230		1,754,637		2,021,939	•	162.9%
Adult Graphile or Composte Shafts		10,441,404		11.990,257		12,156,764		10,782,717		12.618.475	•	12.9%
Junior Graphite or Composite Sharts		2.156,550		1,796,568		1,947,474		1,778,845		1,486,388	+	20.0%
Adult Aluminum Sticks & Shafts		NA		ΚŻ		251,010		413,176		648 498		ď.Ž
Junior Alumbum Stoks & Shafts		N/A		V: V		34,337		191,358		334.643		ď.
TOTAL	S	64,822,801	47	53.198,508	•	41,501,491	ø,	40,604,380	**	44.606.039	•	21.9%
Replacement Blades												
Corressite	€3	6.787.624	t)	4.235.587	€ 3	1,179,007	ŧΩ	2,710,093	60	1,811,310	•	80,3%
Senior (fiberglass-reinforced hosel)		2.772,518	,	3,947,314		3,716,673		6,094,774		7,652,146		29.8%
Senior (hose) not reinforced-reinforced)		1,272,773		2,343,903		948,914		2.988,744		982,148,5		46.2%
Junior (with and without reinforced hosels)		1,019,109		1,827,089		1,098,588		1,671,614		8,338,9433	4	30 P P P
PVC		Tip.		JI.		N.A		N/A		72,116	Ę	No change
TOTAL	₽	11,848,022	47	12,373,893	S	6,940,080	w	13,462,223	40	13,260,851	•	4.2%
Goalle Sticks												
Foam Core Stroke	€F)	2.811.562	÷	2,946,473	₩,	2,078,068	e o	1.158,459	40	A:N	•	9 9 9
All Other Serior Sticks	٠	776.025		1,072,415		1,426,359		1.030.507		3,337,433	•	27.6%
All Other Intermediate Sticks		110,728		39.616		245,862		164,643		291,644	÷	202,2%
All Ciner Junier Sticks		238,311		319, 806		416,955		329,710		378,342	٠	98.85 88.85
TOTAL	c)	3,945,626	49	3.998.308	c)	4,167,234	s,	3,283,319	€3	4,007,419	•	1,3%
TOTAL U.S. MARKET	S	80,616.449	**	60,570,709	es.	52,608,805	•	57,549,924	49	61,874,309	. +	15,0%

Маte. (1) 2003 вяня сопритей to 2002 вяня

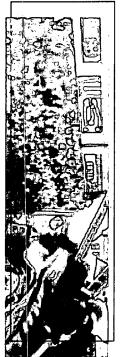
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Hockey Stick & Shaft Sales

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- Conventional Wood Sticks
- o Graphite or Composite Sticks and Shafts
- · Aluminum Sticks and Shafts

ALCO AND SECURE STATEMENT STATEMENT OF THE CONTRACT OF THE CON

Adult Sticks With Wood/Graphite/Fiberglass Shafts

Our Average Cost			
Industry-Wide Our Average Average Cost Cost	\$ 23.71	15,43	\$ 19,54
Our Mertet Share (in Dollars)			
Our Sales (In Dottars)			THE PERSON NAMED IN COLUMN TO SERVICE AND
Seles (Dotlars)	\$ 1,409,358	931,656	\$ 2,341,014
Our Market Share (in Units)			
Our Sales (in Units)			
Sales (Units)	59,444	60.371	119,815
Net Deader Cost	\$18 and over	Under \$18	TOTAL

Adult Sticks With Wood/Fiberglass Shafts

Cost				
Industry-Wids Average Cost	8961 8	1681	10.82	\$ 14,48
Our Market Share (th Dollars)				
Our Sales (In Dollars)				
Sales (Dotlars)	770,891	649,643	817,027	2,287,551
	45			v r
Our Market Shere (in Units)	***			**
Our Sales Our Market Share (In Units) (in Units)				*
	39.174	44.246	74.847	156,267

Adult Sticks With All Wood Shafts

Net Desder Cost	Sales (Unite)	Our Sales (In Units)	Our Market Share (In Units)	es O	Sales (Dotlare)	Our Sales (In Dollare)	Our Market Share (hr Dollare)	Industry-Wide Dur Average Average Cost Cost	Our Average Cost
\$10 and byor	185,032			\$ 2613.574	13.574			\$ 13.83	
ইয় to Se.ee	62,269			ĕ	695 007			(B)	
Unkin \$8	166,093			<u>*</u>	1 066.966			6 42	
TOTAL	437,414			\$ 4.37	4,375.567			\$ 10.00	

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CONTRACTOR OF STREET AND STREET STREET SECTION SECTION SECTIONS SECTIONS SECTIONS SECTIONS SECTIONS SECTIONS SECTIONS SECTIONS SECTION
Total Adult Wood Sticks

Dur Average	
Industry-Wide Average Cost	\$ 12.58
Our Market Share (fr: Dollars)	
Our Sales (In Dotters)	
Salus (Dollars)	\$ 9,004,132
Our Market Share (in Units)	
Our Sales (in Units)	
Sales (Urăts)	715,496
	TOTAL

Junior/Youth Sticks With Wood/Graphite/Fiberglass Shafts

Industry-Wide Our Average Average Cost Cost	
Industry-Wide Average Cost	\$ 10.73
Our Merkel Share (in Collars)	
Our Sales (In Dostars)	
Sales (Dottors)	\$ 277.381
Our Market Share (in Units)	
Our Sales (In Units)	
Sales (Unds)	25,862
Net Deader Cost	All prices

Junior/Youth Sticks With Wood/Fiberalass Shafts

			Julion I Dutil Sticks With WOOW! Incligioss Silaits		/ Incidias	Sildits		
Net Deader Cost	Sales (Unds)	Our Sales (In Units)	Our Sales Our Market Share (in Units) (in Units)	Sales (Dočlara)	Our Sales (in Dollars)	Our Market Share (In Dollars)	firdustry-Wide Our Average Average Cost Cost	Our Awerage Cost
\$10 and over	29,339			\$ 380,760			\$ 12.30	
ଶରିଶ୍ର ଓ ୧୫	13,715			115.844			स् र	
Urder \$8	12,702			70.444			អា មា មា	
TOTAL	55,756			\$ 547.048			\$ 9.81	

A CONTRACT OF THE PROPERTY OF

Junior/Youth Sticks With All Wood Shafts

Our Average Cost			
Industry-Wids Our Average Average Cost Cost	\$ 7.25	पुर च	\$ 6.77
Our Market Share (In Dollars)			
Our Sales (In Dollars)			
Salas (Doflars)	\$ 2,312,989	280, 109	\$ 2,593,098
Our Market Share (br Units)			
Our Sales (In Units)			
Sales (Unds)	317,457	65.847	383,304
			TOTAL

Total Junior/Youth Wood Sticks

Our Average Cost	
Industry-Wida Average Cost	\$ 7.35
Our Market Share (fri Dollars)	
Our Sales (in Dotters)	
Sales (Dotters)	\$ 3,417,527
Our Market Share (b) Unite)	
Our Salos (In Unite)	
Sales (Uriñs)	464,922
	TOTAL

Total All Conventional Wood Sticks

		2 .			SOU SCIENS			
	Sales (Units)	Our Sates (In Units)	Our Market Share (In Units)	Sales (Dotlars)	Our Sales (In Dotters)	Our Market Share (b) Dollars)	Industry-Wide Our Average Average Cost Cost	Our Average Cost
TOTAL	1,180,418			\$ 12.421,659			\$ 10.52	

Total Sales Shipped January 1, 2003 Through December 31, 2003

SAME THE PROPERTY OF THE PROPERTY OF SECTION SECTIONS. (reported in U.S. dollars)

Adult Graphite or Composite Full Sticks

(shaft & blade combos and one-piece sticks)

Junior Graphite or Composite Full Sticks

(shaft & blade combos and one-piece sticks)

Dur Average Cost			
Industry-Wide Dur Average Average Cost Cost	\$ 7601	16.36	\$ 66.60
Our Market Share (h: Dollare)			
Our Sales (in Dotters)			
Sales (Dotlars)	\$ 7,484,011	301 704	\$ 7,785,715
Our Market Share (br Units)			
			•
Our Sales (in Units)			
ur Sales n Units)	98,456	18,443	116,899

Total Graphite or Composite Full Sticks

	Dur Avernge Cost	
	e Industry-Wide Dur Average Average Cost Cost	\$ 81.33
•	Our Sales Our Market Share (In Dottars) (In Dollars)	
	Our Sales (In Dottars)	
	Sales (Dotters)	\$ 39,803,168
	Our Market Share (in Units)	
	Our Sales (In Units)	
	Sales (Units)	489,386
		TOTAL

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AND THE CONTRACTOR OF THE ADMINISTRATION OF THE PARTY OF

Adult Graphite or Composite Shafts

Net Dealer Cost	Sales (Uiëte)	Our Sales (In Unide)	Our Market Share (In Units)	Sales (Dollars)	Our Sales (in Doflars)	Our Market Share (fri Dollars)	Industry-Wide Average Cost	Dur Average Cost
\$60 and over	105,254			\$ 6,785,659			5 64 27	
\$45 to \$59 19	58,748			3,009,980			51.24	
\$30 to \$44 99	14,938			500,622		-	3351	
Urkir \$30	9,036			145,143			16.08	APPLICATION AND APPLICATION OF THE PROPERTY OF
TOTAL	187,976			\$ 10,441,404			\$ 56.65	
		nſ	Junior Graphite or Composite Shafts	or Compo	site Shafts			
Net Deater Cost	Sales (Units)	Our Sates (In Units)	Our Market Share (In Units)	Sales (Dollars)	Our Sales (In Dostara)	Our Market Share (in Dollara)	Industry-Wide Average Cost	Our Average Cost
All prices	70.011			\$ 2.156.550			\$ 30.80	
		<u>고</u>	Total Graphite or Composite Shafts	or Compos	ite Shafts			
	Sales	Our Sales (in Units)	Our Market Share (in Units)	Sales (Dollars)	Our Sales (In Dottara)	Our Market Share (in Collars)	Industry-Wide Average Cost	Our Average Cost
TOTAL	257,987			\$ 12,597,954			\$ 48.83	
		Total All	Total All Graphite or Composite Sticks and Shafts	Composite !	sticks and	Shafts		
	Sales (Units)	Our Sales (In Units)	Our Market Share (in Units)	Sales (Dotlars)	Our Sales (in Dotters)	Our Market Share (fri Oollers)	Industry-Wide Average Cost	Dur Average Cost
TOTAL	747,383			\$ 52,401,142			\$ 70.11	

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Total Sales Shipped January 1, 2003 Through December 31, 2003

(reported in U.S. dollars)

Adult Aluminum Full Sticks

Our Average Cost				
Industry-Wide Our Average Average Cost Cost	S KW	4.7	N.A.	S NA
Our Markel Share (in Dollars)				
Our Sales (In Dottars)				
Sales (Dotlars)	S MIL	, I	NIE	S NIL
Our Market Share (Im Units)				
Our Sales (in Unds)				
Sales (Unds.)	NIL	NEL.	MIL	N.
Not Dealer Cost	\$45 and over	\$35 to \$44.99	Jinder \$35	TOTAL

Junior Aluminum Full Sticks

Net Deafer Cost	Sales (Urăle)	Our Safea (In Unide)	Our Market Share (& Unite)	Salas (Dollere)	Our Sains (in Doffers)	Our Market Share (h) Collers)	Industry-Wide Our Average Average Cost Cost	Dur Average Cost
\$26 and over	Z.			3 MII.			\$ N/A	
Under \$25	Ī			i Z			NA	
TOTAL	NIE			W -			S N/A	
			Total Alur	Total Aluminum Full Sticks	Sticks			
	Sales	Our Sales (in Unda)	Our Market Share (in Units)	Salve (Dotlars)	Our Sales (In Dottora)	Our Mercel Share (in Collars)	fidustry-Wide Our Average Average Cost Cost	Dui Averege Coat

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TOTAL

Adult Aluminum Shafts

Our Average Cost			
Industry-Wide Our Average Average Cost Cost	S N/A	NA	S N/A
Our Market Share th Dollars)			
Our Sales (in Došlars)			
Sales (Dollars)	\$ N.A	Ÿ.Ż	\$ N/A
Our Market Shero (b) Units)			
Our Sales (In Unite)			
Sales (Units)	V.N	M'A	NA
Nei Deaser Cost	\$25 and over	Under \$25	TOTAL

Junior Aluminum Shafts

a Our Average d Cost	
Industry-Wide Average Cost	i Z
Our Market Share (in Dollars)	
Our Sales (In Dottars)	
Sales (Dollars)	A/A
	**
Our Market Share In Units!	
Our Sales (in Units)	
Sales (Units)	A 44
Net Depler Cost	All prices

Total Aluminum Shafts

Dur Average Cost			Our Average Cost
Industry-Wide Average Cost	S NA		Industry-Wide Average Cost
Our Market Share (In Dollars)			Our Markel Share (in Dollars)
Our Saltes (in Dottare)		nd Shafts	Our Sales (In Dottars)
Sales (Dollare)	s N/A	ım Sticks a	Sales (Dotlars)
Our Market Share In Units)		Total Aluminum Sticks and Shafts	Our Market Share In Units)
Our Sales (In Unite)		·	Our Sates (in Unita)
Sales (Undisi	WA		Sales {Unita}
	TOTAL		

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DAGGEN IN The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

DAGGEN IN THE U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

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TOTAL

Summary of 2003 Hockey Stick & Shaft Sales

Total Sales Shipped January 1, 2003 Through December 31, 2003 (reported in U.S. dollars)

	Sales (Vritis)	Our Sates (In Units)	Our Market Share Ibi Units	Sales (Dollars)	Our Sales (In Dotters)	Our Market Share (in Oollars)	Industry-Wids Average Cost	Our Average Cost
Total Adult Wood Stocks	715,496			\$ 9,004 132			\$ 12.58	
Total Junio/Youth Wood Shicks	464,922			3.417.527			7 35	
Total Adult Graphile or Composite Sticks	372,497			32 017,473			86.95	
Total Junior Graphile or Composite Sticks	116,809			912'882'2			09 99	
Total Adult Graphite or Composite Shaffs	187,976			ነቢ 441,404			56 66	
Total Junior Graphita or Composale Shaffs	70,011	# COLUMN CONTRACTOR OF THE PARTY OF THE PART	de production and production of the production o	2,156,550	e in conductive property and the second	Committee of the second of the	30.80	tellenan en en Christian en
Tedal Adult Aluminum Slicks	પ્ર			ž			Y/V	
Tedal Junior Aluminum Slicks	ਇ	Approximation of the second se	And the second of the second o	Zik.	THE RESERVE THE PROPERTY OF TH		A:A	COMPANY OF THE MANY MANY MANY
Total Adult Aluminum Shafts	₹. 7 2			A.A.			Ą	
Total Juniot Aluminum Shafts	A A			Ą			N.A	- The Land of the special section of the section of
TOTAL	1,927,801			\$ 64.822,801	Contact the state of the state		5 33,63	E

ned Nation The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales (270 1908) The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales (270 1908) Market Research Group - Box 1000, Collingwood, ON, LOT 414 - Tel 705.445,7161 - Toll Free 1.866.327.7740 - Fax 705.445.8650 - www.rennies.net

ALCOHOLOGICAL STRUCTURE OF STRUCTURE
Adult Sticks With Wood/Graphite/Fiberglass Shafts

	Change	4 4 4 2 8 4 3 8 4
	U	
OB.	2002	\$ 22 63 N6 20 16 76
G 60		o o
Ауегаде Сові	2003	23.71 15.43 18.54
		w w
	Change	. 34 63 8. 35 78 8. 35 78
\$ 6	2002	2,508,437 1,427,189 3,935,626
ır Sal		en en
Dollar Sales	2003	1.409,358 931,656 2,341,014
		თ თ
	Change	46 4% 31 5% 39.8%
Unit Sales	2002	110.836 89.081 198.917
	2003	59.444 60.371 119.815
	Nat Dealer Cost	\$18 and over Under \$18 TOTAL

Adult Sticks With Wood/Fiberglass Shafts

	Change	5 0 %) () ()	13 i%	3.5%
		+6			•
OST	2002	1.9 74	15.91	12 SA	14.90
900		Œ.			w
Avern	2003 2005	1.9 (2.1	15.91	10.92	14.45
		ús			Ø
	Change		63 8%	24 6%	34.6%
		7	•		•
ž	2002	484 514	1,920,781	1,003,236	3,490.531
s Sal		₩			c/s
Collar Sales	2002	170,881	699,643	817,027	2,287,551
		(C)			s)
	Change	51.5%	63.6%	10.2%	32.2%
Unit Salas	2002	25.860	121 352	86.244	233,496
	2003	39.174	44.246	74 847	156,267
	Not Dealer Cost	\$17 and over	\$15 to \$16.99	Meder S15	TOTAL

Adult Sticks With All Wood Shafts

	Change	8	<u>6</u>	€ ~	1.3%
180	2002	13,42	8.59	6.25	10.13
Average Cost		s			υħ
Aver	2003	13 83	8.45	6.42	10.00
		w			S
	Срвпре	21.5%	37.8%	% ₹	19.4%
		•	٠	•	•
<u>\$</u>	2002	3,327,556	1,116,540	987,073	5.431,169
Oollar Sales		35			κ
Ool	2003	2.613.574	695,027	1,066,966	4.375,567
		ອດ			IJ
	Сћалде	27.72	£.38	5.1%	18.4%
		٠	•	+	٠
Unit Sales	2002	247,886	130,057	368 CMS	535.988
	2003	189,032	82.286	166,093	437.414
	Net Dealer Cost	\$10 and over	\$8 to \$9.99	Under SR	TOTAL

Ξ

Total All Adult Wood Sticks

	Change	7.E.G.
Coat	2002	
Average Coat	2003 2002	12.58 \$ 13.29
	•	•
	Change	. 30.0%
ins.	2002	
Ooller Sales	2003	9.004,132 \$ 12,865,326
		so.
	Change	26.1%
164	2002	968,401 - 26.1%
Unit Sales	2003	715,496
		TOTAL

Junior/Youth Sticks With Wood/Graphite/Fiberglass Shafts

	Change	21.1%
Average Cost	2002	13 69
e BCB		s:
₩.	2003	10.73
		G
	Change	\$0 &
		ا ع
£	2002	272,066
Doller Sales		65 ,
Ooii	2002	277,381 \$
		ŝ
	Change	₹ ₹
Unit Salee	2002	20012
	2003	25.862
	Not Confor Cost	All prices

Junior/Youth Sticks With Wood/Fiberglass Shafts

	Shange	4.9% 10.4% 10.5% 9.0%
	O	
ont	2002	11,73 9,43 6,20 10,78
9a C		o o
Average Coat	2003	12.30 S 8.45 5.55 9.61 S
		v) v)
	Change	. 50.5% . 50.5% . 50.7%
ž	2002	728.722 171.735 48.140 946.597
Dollar Sales		v) v)
Oolla	2003	360,760 115,844 70,444 547,048
		o es
	Change	52.8% 24.7% 70.7% 36.6%
		* ; + *
Unit Sales	2002	62.142 18.220 7.439 87.801
	2003	29.339 13.715 12.702 55.756
	Net Dealer Cost	\$10 and over \$8 to \$9.99 Under \$8 TOTAL

Junior/Youth Sticks With All Wood Shafts

	Change	2 % 6
120	2003	7.52 4.09 6.90
98 0		es va
Average Cost	2003	4.25 6.77
		ம ம
	Срвиде	88.88 84.89 84.89
£	2002	3.403.373 - 405.608 - 3.808.981 -
Dollar Sales		as na
Oolla	2003	2.312.989 280.109 2.593,098
		တ ဟ
	Change	%6.08 %9.08 %9.08
	2002	452.689 99.177 551.866
9019	8	£ 20 €
Unit Sales	2003	317.457 66.847 383.30 4
	Net Dealer Cost	\$5 and over Under \$5 TOTAL

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Total All Junior/Youth Wood Sticks

	Change	3.5%
nt Tu	2002	7.62
Average Cost	~	so.
Avera	2003	7.35 \$
		s
	Change	32.0%
ž	2002	5.027.644
Dollar Sales		87
:IoC	2003	3.417,527
		ø
	Change	. 29.5%
Und Sales	2002	629.679
	2003	464.922
		TOTAL

Total All Conventional Wood Sticks

	Change	10.52 \$ 10.99 - 4.3%
100	2002	10.99
werage Cost	•	u)
Avera	2003 2005	10.52
		S
	Change	30.6%
<u> </u>	2002	\$ 17,892,970
Oollar Sales		47
1100	5003	12,421,659
		w
	Change	27,5%
		9
Unit Sales	2002	1,528.080
	2003	1,180,418
		TOTAL

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Adult Graphite or Composite Full Sticks (shaft & blade combos and one-piece sticks)

Junior Graphite or Composite Full Sticks (shaft & blade combos and one-piece sticks)

		Change	5.0%	5.2%	29.7%
			٠		٠
	Ost	2002	72.36	15:35 17.25	\$ 51.35
	ge C		υn		60
	Average Cost	2003	76.01	15.35	66.60
			S		S
(0)		Change	• 189.8%	20.5%	+ 162.9%
)	ž	2002	7,484,011 \$ 2,582,178	379,688	7.785,715 \$ 2,981.866
,	Ž.		65		85
2	Dollar Sales	2003	7,484,011	301,704	7.785,715
			S		כט
Unit Sales Dollar Sales		Change	+ 175.9%	M · 16.1%	57.680 + 102.7%
	soje	2002	35.686	21,994	57.680
	Unit S	2003	98.456	18,443	116.899
		Net Dealer Cost	\$25 and over	Under \$25	TOTAL

Total All Graphite or Composite Full Sticks

		Change	81.33 \$ 76.47 • 6.4%
	Cont	2003 2002	76.47
	Average Cost		S
	Aver	2003	81,33
			s,
311773		Change	• 85.0%
מייים בייים	Sales	2002	\$ 39,603,188 \$ 21.518,713 4 85.0%
المراق المالية	Dollar Sales	2003	\$ 39,803,188
		Change	281,415 + 73.9%
	las	2002	281.415
	Unit Sales	2003	489.396
			TOTAL

t

Adult Graphite or Composite Shafts

	Change	2.4%	- %	2.8%	15 1%	3.6%
		٠	٠	٠	٠	•
Cost	2002	65.9	23	17.00	18.81	33
Average Cost		υ				U5
Aver	2003	Ž	51.24	<u> </u>	35	55.55
		ಳು				ď
	Change	10.4%	4.1%	50 6%	44.5%	12.9%
		•	•	٠		•
£	2002	7,576,179	3,139,895	1.012.512	261.671	11,990,257
r Sa		**				∨>
Dollar Sales	5002	6.785,659	3.009.980	500,622	145,143	10,441,404
		'n				v9
	Спялде	12.5%	2.4%	49.1%	87.88 87.88	16.0%
		•	•	٠	٠	•
ģ	2002	120,310	60.191	29.373	13.840	223.714
Unit Sales	2003	105.254	58.748	14,938	9.036	187.976
	Net Dealer Cost	\$60 and ever	\$45 to \$59.99	\$30 to \$44.99	Under \$30	TOTAL

Junior Graphite or Composite Shafts

	Change	13%
oet	2002	
Ö		c/s
Average Cost	2003	30.80 S 20.71
		es.
	Change	• 20 0%
		•
\$	2002	\$ 1796,508 4
s Sal		*
Dollar Sales	2002	2 156,560
		(C)
	Change	62 549 + 11 9%
		<u> </u>
961	2002	35
Unit Sales	2003	70 011
	Not Dealer Cost	All prices

Total All Graphite or Composite Shafts

	Change	+ 1.4%
		•
werage Cost	2002	49.16
180		S
Aver	2003	48.83 \$ 48.16
		ဟ
	8	
	Change	. 8.6%
	Č	•
<u>\$</u>	2002	13.786,825
s Sal		63
Oollar Sales	2003	12,597,954
		ဟ
	Change	%6.6 -
alas	2002	286.283
Unit Salas	2003	257.987
		TOTAL

Total All Graphite or Composite Sticks and Shafts

Average Cost	2003 2002 Change	\$ 70.11 \$ 62.19 + 12.7%
	Change	. + 48.4%
Salors	2002	62,401,142 \$ 35,305,538
Collar Salos	2003	\$ 52,401,142
	Change	31.7%
atas	2002	567,698 + 31,7%
Unit Sales	2003	747.383
		TOTAL

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Adult Aluminum Full Sticks

	Ç	Unit Sales			ő	Oolias Sales	¥!			Aye	Average Cost	ta o	
Net Dealer Cost	2003	2002	Chenge		\$000		2002	Change		2003		2003	Change
\$45 and over	Z	¥	No change	S	볼	43	N N	No change	s	ΚŻ	S	4. Ž	N.A.
\$35 to \$44.99	¥	ZIE.	No change		<u> </u>		물	No change		ΚŻ		4.7	N'A
Under S35	ž	Ę	No change		N N		볼	No change		K/A		4.7	N:A
TOTAL	NI NI	J.	No change	w	¥	v,	M M	No change	S	¥¥	w	A A	NA
			Junior Aluminum Full Sticks	. Alun	ninum	Full	Stick	v					
	, Es	Unit Sales			ä	Oollas Sales	¥!			Avo	Average Cost	1800	
Net Dealer Cost	2000	2002	Срвиде		2002		2002	Change		2003		2003	Change
\$25 and over	Ę	Ä	No change	v	N H	50	¥	No change	s	ĶŽ	99	¥;¥	Ä:Ä
Under \$25	ź	¥	No change		첾		¥	No change		₹ 2		<u>لازکا</u>	Pk'A
TOTAL	Nil	NF L	No change	υn	뒒	w	ZII	Мо сћапре	S	MYA	თ	Ø Ø	NA
			Total All Aluminum Full Sticks	II Alu	minu	n Fu	Stic	ks					
	U Piril	Und Sales			č	Ooltar Salas	ĸ			A	Average Cost	Coat	
	2000	2003	Change		2002		2002	Change		2003		2002	Change
TOTAL	Z L	N.	No change	s	Ħ	(A	를	No change	S	ΑĄ	Ø	ΝΆ	ΝA

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Adult Aluminum Shafts

	C III	Unit Sales			ŏ	Dollar Sales	€			4	Average Coal	0.081	
Net Dester Cost	2003	2002	Change		2002		2002	Change		2003		2002	Change
\$25 and over	A'W S	N/A	4 .	œ	A)N	62	N/A	N.A	ŝ	K'A	¢:	802 2	N/A
Onder S25	K K	₹ ₹	₹ 4 /14	u.	4 4	45	¢ Ą	4 4	J	₹ V	U	₹ ₹	4.5V
			5	•	<u> </u>	,	5	2	•	<u>:</u>	•	<u>t</u>	2
			Juni	Junior Aluminum Shafts	umin	S mr	hafts						
	Unit Sale	Sales			õ	Coller Sales	•0			Ave	Average Cost	1800	
Not Doglar Cost	2003	2002	Change		2002		2002	Change		2003		2002	Change
All pricos	A'Y	N/A	A/N	Ś	N/A	60	۳. <u>۲</u>	N'A	v.	MG	œ	N/A	দাক
			Total	A II A	Iumir	mn.	Total All Aluminum Shafts						
	Carl	Und Salas			č	Collar Sales	4			A	Average Cost	Cost	
	2003	2002	Charige		2003		2002	Charipe		2003		2002	Change
TOTAL	MA	MA	N/A	\$3	N/A	υ	N/A	M/M	ø	M'A	s)	N/A	N'A
		_	Total All Aluminum Sticks and Shafts	lumin	s mn	ticks	and Sh	nafts					
	Unit Sales	Salas			ŏ	Ociliar Salos	ç			A	Average Cost	1000	
	2003	2002	Change		2003		2002	Change		2003		2002	Change
TOTAL	MA	N.A	NA	ψ	NA	₩	NA	ΜΆ	e)	Š	Ś	N/A	N/A

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Summary of Hockey Stick & Shaft Sales

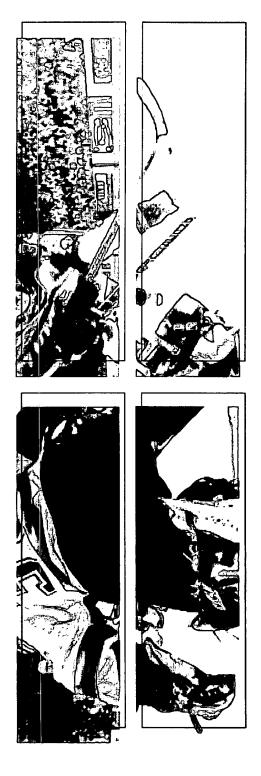
2003 Sales Compared to 2002 Sales

	Unit Sal	ales		Colle	Oollar Sales		∢	Average Cost	Cost		
	2003	2002	Change	5003	2002	Change	5003	e	2002	ō	Change
Total Adult Wood Slicks	715.496	968.401	. 26.1%	\$ 9,004,132	\$ 12,865,326	\$ 8	\$	12.58 \$	13.24		5.3%
Total Junion/Youth Wood Slicks	464.922	659.679	%9.8X ·	3.417.527	5.027,644	8 8	ب	7.35	7,62	,	3.5%
Total Adult Graphite or Composite Sticks	372.497	223.735	%9°99 +	32,017,473	18.556.847	- 72.5%	56 A3	40 20	82.58 F		3.6%
Total Junior Graphite or Composite Sticks	116.899	57.680	+ 102.7%	27.885,715	2.961.866	+ 162.9%	99 99	\$	51.35		29.7%
Total Adult Graphite or Composite Shafts	187.976	223,714	. 16.0%	10.441,464	11.990.257	12.9%	: S	55 55	53.60		99 99 80
Total Junior Graphate or Composite Shaffs	70.011	62.569	41.9%	2.156.550	1,796,568	+ 20.0%	OB OE:	GB.	28.71	٠	1.3%
Total Adult Aluminum Sticks	불	N	No change	NIL	NIL	No change	Ź	NGA	Nea		N.N.
Lotal Junko Aluminum Sticks	Ä	NI NI	No change	NIL	Ā	No change	ž	NGA	Ř		N.
Fotal Aduli Aluminum Shafis	٧ ٧	Ϋ́Z	NA	N/A	À :A	K)Z	Z	NGA	Y.A		Ś
Fotal Junior Aluminum Shaffa	۷., ۷.,	¥:Z	N'A	N/A	N.	NSA	Z	NG	Ϋ́Z		Š
TOTAL	1,927,801	2,195.778	. 12.2%	\$ 64,822,801	\$ 53.198,508	• 21.9%	\$ 33.63	& \$	24.23	•	38.8%

KI. NAVII. The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales BARTALY TO THE U.S. Hockey Stick & Replacement Blade Market - 2003 Sales BARTALY TO THE U.S. S. 27.7740 • Fax 705.445.8650 • www.rennies.net

Replacement Blade Sales

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Composite Blades

Nei Dealer Cost	Sales (Units)	Our Sales (In Units)	Our Market Share (In Units)	Sales (Dollars)	Our Sales (In Dotters)	Our Market Share (in Dollars)	Industry-Wide Our Average Average Cost Cost	Our Average Cost	
\$15 and awer	231,873			\$ 6 432,486			\$ 27.74		
Under \$15	27,769			355,138			12.79		
TOTAL	259,642			\$ 6,787,624			\$ 26.14		
		Seni	Senior Blades (fiberglass-reinforced hosel)	erglass-reir	oforced ho	osel)			
And Post of the Control of the Contr	Sales	Our Sales	Our Market Share	Seles	Our Sales	Our Market Share	Industry-Wide Our Average	Our Average	

Net Dealer Cost	Sales (Units)	Our Sales (in Units)	Our Market Share (in Units)		Sales (Dotturs)	Our Sales (In Dottars)	Our Market Share (in Dollars)	Industry-Wide Average Cost	Industry-Wide Our Average Average Cost Cost
	148,875			υn	2.046.537			\$ 1375	
	91,022				725,979			85	
	239,897			v	2,772,516			\$ 11.56	

Senior Blades (hosel not fiberglass-reinforced)

Net Dealar Cost	Sælee (Units)	Our Sales (In Units)	Our Market Share (in Units)		Sales (Dottars)	Our Sales (in Dotters)	Our Merket Share (in Dollars)	Industry-Wide Our Average Average Cost Cost	Our Average Cast
\$8 and over	101,374			so.	1.012.403			656 8	
Under \$8	50.647				260.370			Б.М	
TOTAL	152,021			₩	1.272.773			\$ 8.37	

BRE ROWER OF INFORMATION

Replacement Blades... continued Total Sales Shipped January 1, 2003 Through December 31, 2003 (reported in U.S. dollars)

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Junior Blades (with and without reinforced hosels)

Industry-Wide Our Average Average Cost Cost			
	\$ 6.93	4.95	\$ 8.49
Our Markel Share (in Dollars)			
Our Sales (In Dotars)			
Sales (Dottare)	\$ 949.478	65.631	\$ 1.015.109
Our Market Share (in Unite)			
Our Sales (In Units)			
Sales (Unite)	106,335	13,262	119,597
Not Dealer Cost	57 and over	Under \$7	TOTAL

PVC Blades

Our Average	
Industry-Wide Our Average Average Cost Gost \$ NVA	
Our Markei Share (in Dollars)	
Our Salee (In Dollare)	
Sates (Dotars) \$ MIL	
Our Market Stane (in Units)	
Our Sales (81 Units)	
Sales (Unita) NIL	
Net Dealer Cost Al CnOES	

Total All Replacement Blades

Our Average Cost	
Industry-Wide Our Average Average Cost Cost	\$ 15.36
Our Market Share (in Dollars)	
Our Sales (in Dollars)	
Sales (Dotlars)	\$ 11,848,022
Our Market Share (in Units)	
Our Sales (In Units)	
Sales (Units)	721,157
	TOTAL

The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

[SACAN OF NO. 100 - 1

Composite Blades

	Unit Sales	_			Dollar Sales	<u>\$</u>					Awerage Cost	Ŝ	36		
Not Dazber Cost	2003	2002	Chargo		2003		2002	Ü	Change		2003		2002	Change	
All prices (*)	259,642	158,705 + 63.6%		*	\$ 6.787,624 \$ 4,235,597 + 60.3%		788 9831	•	90.3%	45,	26.14	4/5	26.69	5 26.14 \$ 26.69 - 2.1%	
(1) Police these wiere consolitated (from the original questionnalis) in 2002 to protect material-company data.	on and month treater	grant question	iaim) in 2002 to proi	18.4 A	фемпай-солир а я	EEO A	ŗź								

Senior Blades (fiberglass-reinforced hosel)

	Unit Sales	8			Doll	Dollar Sales	Y ?.				Average Cost	ပို	ត្		
Net Deeder Cost	5003	2002	Change		2003		2002	U	Shange		2003		2002	ប	Shange Shange
\$11 and over Under \$11	148.875 91.022	257.088	. 42.1%	1/3	2.046.537 725.979	₩	3,430,301	٠.	40.3%	u i)	\$ 13.75	19'9	13.34 8.06	, .	+ 3 +8, + 53,
TOTAL	239,897	321,206	- 25.3%	*	2,772,516	69	3,947,314		29.8%	s	11.56	w		٠	5.9%

Senior Blades (hosel not fiberglass-reinforced)

	Unit Safe:	lles				Dolla	Dollar Sales	g.				Average Cost	ge C	ost	
Net Deader Cost	2003	2002	さ	Shange		2003		2002	Ü	Shange		2003		2002	Change
\$8 and over	101.374	185,081		15.2%	•	1,012,403	49	1,911,429		47.0%	*	\$0 \$6	46	10,33	860 100 100 100 100 100 100 100 100 100 1
Under \$8	50.647	62.946		19.5%		260.370		452.474		42.5%		5.14		2.19	. 28.5%
TOTAL	152.021	248.027		18.7% 18.7%	•	1,272,773	b9	2,363,903		46.2%	s	8.37	S	9.53	- 12.2%

Junior Blades (with and without reinforced hosels)

	Unit Sales				Dolla	Dollar Sales	u				Aver	Average Cost	ta		
Net Deader Cost	2002	2002	Change		2003		2002	ਠੰ	Change		2003		2002	S.	Shange
\$7 and over	106,336	183,860	- 42.2%	wþ	949,478	97	1,714 965	प	689		9	₩	8	च ,	- S.
Urx8ir \$7	13,262	20,855	. 36.4%		65,631		112,124	· 41.5%	96 C.		후 65		5.38	. B. 178.	Ž.
TOTAL	119,597	204,715	41.6%	٥Ņ	1,015,109	s,	1,827,089	4	1.4%	•	8.49	s,	8.93	4	ş.

PVC Blades

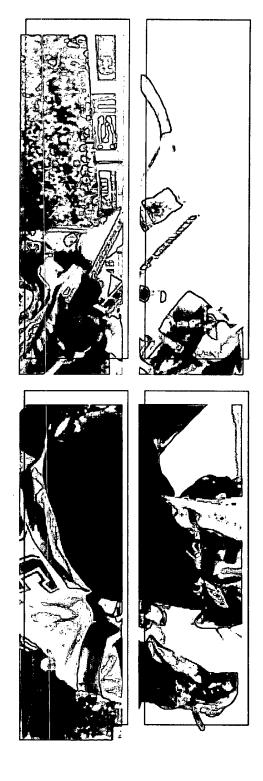
		Change	N/A
	Cost	2002	\$ NYA
	Average Cost	2003	S NUA S NUA
		Change	No change
	*	2002	NIC 45
1	Doller Sales		92
	ŏ	2003	NIL
			49
		Change	No change
	8	2002	ī
	Unit Setes	2003	MIL
		Net Dealer Cost	All prices

Total All Replacement Blades

	Change	\$ 15.36 \$ 13.27 + 15.7%
ŧ	5005	13.27
0		Ń
Average Cost	2003 2002	15.36
		•
	Change	- 4.2%
7. 1. 1.	2002	12,373,893
Online Sales	2003	11,848,022 \$ 12,373,893
	Change	17.3%
		•
	2003	932.653 · 17.3%
Sept.	2003	771,157
		TOTAL

Goalle Stick Sales

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| The U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

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Foam Core Goalie Sticks

Nel Dealer Cost	Sales (Units)	Our Sales (tri Units)	Our Market Shara (in Units)	Satos (Daltara)	Our Sales (in Dallars)	Our Market Share (In Delters)	Industry-Wich Average Cost	Our Average Cost
\$35 and avai	978,76			\$ 1,461,051			S 3.85 S	
Under \$75	62,034			1,350,511			<u>.</u>	
TOTAL	90,813	,		\$ 2,811,562			\$ 30.96	
			All Other Senior Goalie Sticks	enior Goal	ie Sticks			
Not Daalar Cost	Sales (Units)	Our Sales	Our Market Stiere (in Unite)	Setes (Dollare)	Our Sales (in Callars)	Our Market Stisre (In Dottara)	Industry-Wede Average Cost	Our Average Cost
\$25 and over	18.078			\$ 594,055		- I was a second	8 25 Re	
\$20 to \$24 99	5.89.8			139.610			29.62	
Under \$20	2.550			42,360			16 61	
TOTAL	26,526			\$ 776,025			\$ 29.26	
		•						

All Other Intermediate Goalie Sticks

Industry-Wede Our Avarage Average Cost Cost			
Industry-Wide Average Cost	8 29.96	19.27	\$ 29.69
Our Market Share (in Dotters)			
Our Bales (in Dellers)	The same various and the same of the same		
Sates (Dollare)	\$ 117,762	1 (348	\$ 119,726
Gur Markol Shara (in Unite)	And the last of th		
Our Sales (b) Units)			
Sales (Unite)	3.630	š	4.032
Rei Dealer Gösl	\$20 and over	Under \$20	TOTAL

Goalie Sticks... continued Total Sales Shipped January 1, 2003 Through December 31, 2003 (reported in U.S. dollars)

All Other Junior Goalie Sticks

ire Industry-Wide Our Average Average Cost Cost	\$ 2125	15.22	12.51	\$ 19.72
Our Market Share (In Dodars)				
Our Sales (in Dollars)				
Seles (Dollars)	\$ 202,383	21,758	14,170	\$ 238,311
Our Market Share (in Units)				
Salee				
S E		1	- 1	i
Seles Our (Units) (En	9.523	45.1	1,133	TOTAL 12,088

Total All Goalie Sticks

Industry-Wide Our Average Average Coal Coat	And an extension of the second
Industry-Wide Average Coal	\$ 29.56
Our Market Share (in Dollars)	
Our Sales (in Dollars)	
Sales (Dollera)	\$ 3,945,626
Our Market Share (in Unita)	
Our Sales (En Unita)	
39198 (Unita)	133,457
	TOTAL

not only the U.S. Hockey Stick & Replacement Blade Market - 2003 Sales

AND PROPERTY OF STANFARD STANFARDS

Foam Core Goalie Sticks

	Unit Sales	æ		Dollar Sales	Salas		Ą	Average Cost	ost	
Net Dealer Cost	2002	2002	Change	2003	2002	Change	2003	2003 2005	2002	Сһвпре
All prines (*)	90,813	78,944 (15.0%	15.0%	\$ 2,811.562 \$ 2,566,473	2,566,473	%5'6	\$ 30.96 \$ 32.51	9		4 R%
(1) Phies thes were consolidated (from the original questiormaile) in 2002 to protect includinal company data.	ktated (from the or	iginal question	visite) in 2002 to p	refect inshrighal-compa	my data.					

All Other Senior Goalie Sticks

	Change	6 R.	44°	£,	1.1%
	ū		+		
18	2002	36.26	23.67	16 65	29.59
ğe Ç		49			•
Average Coat	2003	32,86	23 67	1661	29.26
		عن			•
	Change	. 21.8%	30.8%	47.4%	27.6%
98	2002	759,884	231,938	80,593	1,072,415
Dollar Sales		Ϋ́.			47
all o	2003	594,056	139,610	45,360	776,025
		Ç,			•
	Changa	16.1%	- 40,1%	. 47,3%	. 26.8%
8	2002	21,557	9.842	4.940	36,239
Unit Sales	2002	19,078	5,898	2,550	26,526
	Not Daster Cost	\$25 and over	\$20 to \$24 99	Under \$20	TOTAL

All Other Intermediate Goalie Sticks

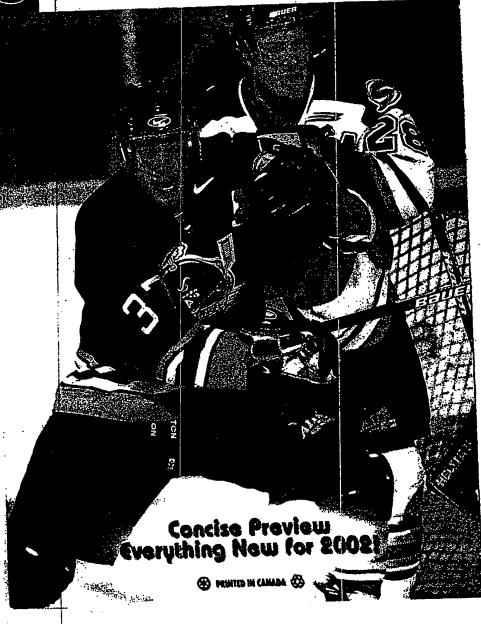
	Unit Sales				Dollar Sales	sales			Average Cost	Š.	=		
Net Dazber Coat	2002	2002	Changa		5003	2002		Change	 2003	~	2002	Change	
All prices (*)	4,032	1.935	1,935 + 108,4%	4 5	119,728 \$ 39,615 + 202,2%	30,61	+	202.2%	 29 69	w)	₹¥ 00	5 2969 \$ 2047 + 450%	
THE Para Russ ware consolitated (from the commet questionnains) or 2002 to profess when while from the company	o and incost that it	วาตกล จะเรสทั	on access on posses to	mrates a	Street at the street	MV Chalfa.							

All Other Junior Goalie Sticks

	Unit Safes	afos			Dells	Dollar Salas	y.				Aver	Average Cost	at		
Net Deader Cost	2002	2002	Change		2003		2002	3	Change		2003		2002	Ö	Shange
\$16 and over	9,523	13,737	30.7%	÷	262 393	97	252,446		19.8%	4	21.25	u)	18.38	-	56%
Urchir \$16 (*)	2,563	4,729	45.8%		35 928 67,359		67,359		46.7%		14.02 14.24		14.24 1 5%		1.5%
TOTAL	12,086	18,486	. 34.5%	s,	238,311	47	319,805		25.5%	Ś	19.72 \$	s,	17.32	+	3.9%
(1) Phice lines were consolidated (from the c	alidated (from the	cripinal questic	original questionnaire) in 2002 to protect individual company data.	profect	ndividual con	YEAR	data.								

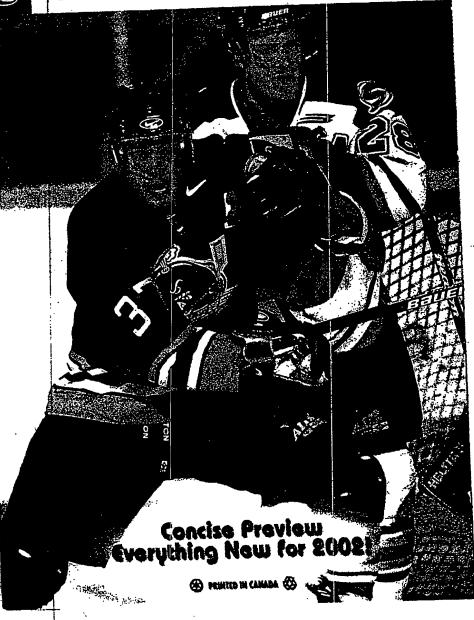
Total All Goalie Sticks

Average Cost	2003 2002 Change	\$ 29.56 \$ 29.49 4 0.2%
	Change	1.3%
Dollar Salas	2002	\$ 3.998,300
Dellar	2003	\$ 3,945,626
	Change	135,584 · 1.6%
Jnit Safea	2002	135,584
Units	2002	133,457
		TOTAL



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ND STRONGER, STICK AFTER STICK

EASTON HYBRID STICKS ARE LIGH

Easton has added new sticks to both its Z-Bubble and Hybrid lines along with new composite blades. Highlighting the new two-piece Z-Bubble program is the Z-Bubble Grip requiring Easton's post-process application "that offers a different shall texture for the stayer who prefers a more tackfled feet and surface," said Euston: "The Z-Bubble Grip also boasts a new Metal Matrix wrop that provides weight reduction while maintaining strength characteristics of the Generation 1 Z-Bubble." The Z-Bubble will be available in three senior flexes (110, 100 and 85). A new intermediate model has also been Easton adds new sticks and composite replacement blades odded to the Z.Bubble line with reduced shaft geometry in a 75 flex.

Easton's Hybrid line, which combines graphite-constructed blades with the feel of a wood shaff, has expanded with three new sticks - each available in two patterns (Yzerman and Modana). First, is the Z-Carbon 70 featuring intermediate shaft geometry. Next, is the new elite-level junior Z-Carbon 65 stick made with a carbon-teinforced try. glass laminate construction. Rounding out the new Hybrid sticks offerings is the Z-Carbon 50 model, a junior model similar to the Z-Carbon 65 but without the reinforce. "As such, it flexes samewhat softer and addresses the needs of a larger segment of the junior category," said Easton.

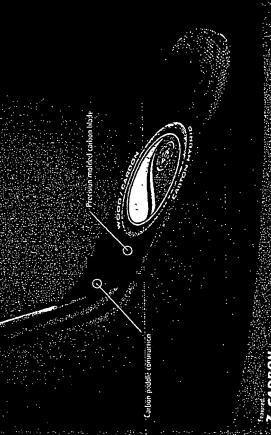
in the replacement blade category. The blade weighs a mere 135 grams and offers at the stiffness and feel of its serior counterpart." Mare information: Easton Sports, 7855 Haskell Ave., Suite 200, Van Nuys, CA 91406-1902. 818/781-1587. Fax: 818/782-6012. Genedian rehailers contacts Easton Sports Canada, 2000 Place Transcanadienne, Dovval, Qc H9P 2X5. 514/685-0550. Fax: 514/685-9797. There is a new look to all composite replacement blades at Easton for 2002. "The most exciting addition to the line if the Junior Z-Carbon model," Easton said. "This product represents the highest level of technology and performance available to junior players

Easton expands Synergy into stand-alone category for 2002

Easton has expanded the Synergy line from 10 SKU's in 2001 to 64 SKU's for 2002 with new sticks, flaxes and patterns. "We feel this expansion of the Synergy technology to full category status afters a product for all elite-level athletes, regardless of age, size, strength or pattern preference," said Easton. The new senior Grip Synergy stick in the senior line features a textured surface on the shaft for improved grip and will be available in two flexes (100 and 110) and six patterns (Yzerman, Sakic, Modano, with a softer 85 flex, offering yet another option to the Synergy line. It is available in Shanahan, Lindstrom and Drury). Easton has also added a new senior Synergy stick the same patterns as the Grip Synergy.

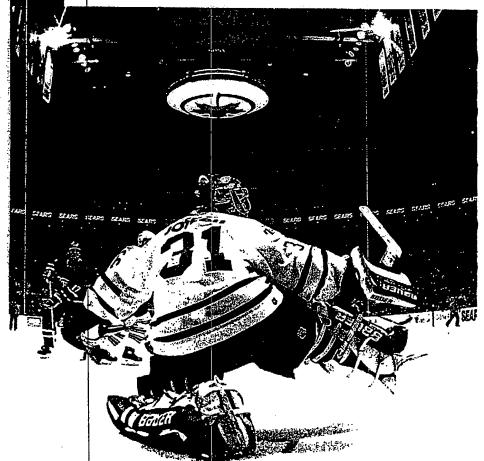
The inhermediate Synergy utilizes reduced shaft geometry but with a senior size blade. If has a 75 flex and is available in two pathems (Druy and Modano). The junior Synergy is offered in a 50 flex with Yzerman and Modano pathems. More information: Easton Sports, 7855 Haskell Ava., Suite 200, Van Nuys, CA 91406-1902. 818/781-1587. Fax: 818/782-6012. Canadian ratellers contacts Easton Sports Canado, 2000 Place Transanadienne, Daval, Gc H9P 2X5. 514/685-0550. Easton Symergy sticks will also be offered in intermediate and juntar models for 2002. _{Гак}: 514/685-9797

Precision compression unided earban birde produces the same shape and curve blade after blade after blade (9) (4) wood for the best of all worlds





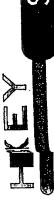
HOCKEY



The hot trends & innovative new hockey gear for 2001/2002

Detailed Preview Inside





STICKS

Christopher DiamondLite shaft, expand SB series chistopher and pannership with leading golf shaft manufacturer True shaft is a partnership with leading golf shaft manufacturer True shaft is partnership with leading golf shaft manufacturer True shaft is the partnership with leading golf shaft manufacturer True shaft is the performance Tube Testing division at True Temper to use work that have been shaft of a composite handle, designed to meet the golfest and shaft of a composite handle, designed to meet the specific christian Brothers said. This shaft, which will have districted as a soil Christian Brothers. "With the feel of wood, extended in the planmondLite will be available in four different in the feel of the right handle for increased shot speed and the matched to the right handle for increased shot speed and the payers and women. This intermediate handle to

Create add two new sticks to its all-wood SB series, created for Create developed players. With these additions, the SB series bit the developed players. With these additions, the SB series bit the developed players. With these additions, the SB series of the considerations in selecting a hockey stick – flex and lie, the result of requests from more advanced players to have SB result of requests from more advanced players to have SB transit and Christian Brothers. To help match the player to the fin," said Christian Brothers. To help match the player to the fin," said Christian Brothers. To help match the player to the structure of the different size, length and flex handles in the same coptimum results any individual player. Lie numbers, which range all also be indicated on all sticks in the SB series. More information, P.O. Box C, Warroad, MN 56763. 218/386-1111.

Eas # stick category with its unique new hybrid line East the new category of hybrid sticks with the introduction of its East the new category of hybrid sticks with the Hybrid, we tused a new filter composite blade together, making the first stick of its kind in the composite blade together, making the first stick of its kind in the construction and the best short make an exceptionally light, thin, stiff, well-balanced, precision with the construction and the best short make an exceptionally light, thin, stiff, well-balanced, precision with the construction of the construction and the best short make the construction and the constr

sion—first tear, can aspen wood shaft from Finland, with a three the startes an aspen wood shaft from Finland, with a three piece. Karbon Hybrid 110 shaft will also have a strips of carbon for a Z-Carbon Hybrid 100 will have 4 strips of carbon reinforce. As a strip of carbon force will. The entire Z-Carbon line will feature a unique carbon force. Black high, with an expanded from core system designed to problace. Black high while the blade true to the target line," said Easton. White the sock increases the degree of contact between the blade Ances and assigned to wear resistance on high impact surfaces.

ARE YOU BEADY?

ARE YOUR READY?

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HOCKEY

Easton has also created a new category of Hybrid replacement blades featuring Fusion technology. "The Hybrid blades play and feel just like their wood counterparts, but the consistency and weight are unmatched by any blade," said Easton. More information: Easton Sports, 7855 Haskell Ave., Suite 200, Van Nuys, CA 91406-1902. 818/781-1587. FAX: 818/782-6012. Canadian refailers contacts Easton Sports/Canada, 2000 Place Transcanadienne, Dorval, Qc Hyp 2X5. 514/685-0550. FAX: 514/685-9797.

Exel introduces Finnish replacement blade technology

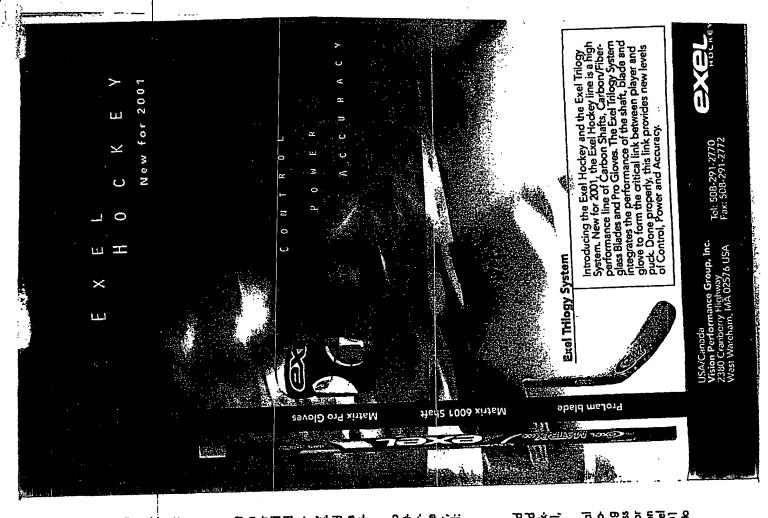
Exel introduces ritilisate by the complement of high-performance, finnish-mode replacement Exel will introduce a complete line of high-performance, finnish-mode replacement blodes in carbon and fiberglass wood combinations (to complement its new Carbon blodes in carbon and fiberglass wood should be construction with a complete finnish seven-layer wood and inflor models. The Prolam blodes feature a unique Finnish seven-layer wood and fiberglass laminate construction with a complete fiberglass wrap, birch ply tenon and fiberglass laminate construction with a complete fiberglass wrap, birch ply tenon and fiberglass laminate running vertically down the hosel. These blodes feature two layers of fiberglass fabric between the birch wood veneers. These blodes feature two layers of fiberglass fabric between the birch wood veneers, on each side of the blade. This attention to detail provides a blode with increased stiff-on each side of the blade. This attention to detail provides a blode with increased stiff-on each side of the blade. This attention of Exel hockey products. The senior Prolam is the exclusive North American distributor of Exel hockey products. The senior Prolam is available in six patterns and the junior Prolam, with similar fiberglass and wood laminate construction, will be available in two patterns.

The ProLam ABS senior blade has the same 4-Carbon construction but features a top to bottom ABS insert for increased durability and wear. It is available in four blade patems. The junior ProLam ABS is constructed using two maple veneers with two fiberages laminates on each side of the blade for increased stiffness and is available in one pattern. More information: Vision Performance Group Inc., 2380 Cranberry Highway, West Wareham, MA 02576. 508/291-2770. FAX: 508/291-2772. E-mail: info@vispg.com

Exel unveils two new lines of carbon shafts for North America

Exel unveils two lieur liters of the North American market, distributed Exel is introducing two new carbon shaft lines to the North American market, distributed exclusively by Vision Performance Group, featuring Triaxial Braided Technology and exclusively by Vision Performance Group, featurements of senior and junior carbon hock. Co-Wound Technology. Exel will have "a full range of senior and junior carbon hock ey shafts to meet player performance requirements at all levels," said Bob Hunnewell, president of Vision Performance Group.

The Matrix 5001 and 6001 senior shafts are both manufactured using a Trioxial The Matrix 5001 and 6001 senior. This technology "produces a shaft with exceptraided Technology (IBI) construction. This technology produces a shaft with exceptional stiffness and outstanding reflex response at the desired stiffness rating tional torsional stiffness and outstanding shafts. The Matrix 5001 is designed for increases durability substantially over existing shafts. The Matrix 5001 is designed for increases player and heatures on exclusive +/- 45 degree outer braid (for high torsion the hierses) reduced radius shaft design and a new Exel grip designed for playability, feel stiffness), reduced radius shaft design and a new Exel grip designed for playability, feel stiffness), reduced radius shaft design and a new Exel grip designed for playability, feel stiffness, reduced radius shaft esign so the 5001, but includes an ABS slash strip to incorporates many of the same features as the 5001, but includes an ABS slash strip to incorporate durability and is available in 100-stiff, 110-Xstiff and 120-XSstiff.





COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE P.O. BOX 1450 ALEXANDRIA, VA 22313-1450 www.uspto.cov

MEMORANDUM

DATE:

May 3, 2007

TO:

Technology Center Directors

FROM:

Margaret G. Jocarn Margafet A. Focarino **Deputy Commissioner**

for Patent Operations

SIIBJECT:

Supreme Court decision on KSR Int'l. Co., v. Teleflex, Inc.

The Supreme Court has issued its opinion in KSR, regarding the issue of obviousness under 35 U.S.C. § 103(a) when the claim recites a combination of elements of the prior art. KSR Int'l Co. v. Teleflex, Inc., No 04-1350 (U.S. Apr. 30, 2007). A copy of the decision is available at http://www.supremecourtus.gov/opinions/06pdf/04-1350.pdf. The Office is studying the opinion and will issue guidance to the patent examining corps in view of the KSR decision in the near future. Until the guidance is issued, the following points should be noted:

(1) The Court reaffirmed the Graham factors in the determination of obviousness under 35 U.S.C. § 103(a). The four factual inquiries under Graham are:

(a) determining the scope and contents of the prior art;

(b) ascertaining the differences between the prior art and the claims in issue;

(c) resolving the level of ordinary skill in the pertinent art; and

(d) evaluating evidence of secondary consideration.

Graham v. John Deere, 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966).

- (2) The Court did not totally reject the use of "teaching, suggestion, or motivation" as a factor in the obviousness analysis. Rather, the Court recognized that a showing of "teaching, suggestion, or motivation" to combine the prior art to meet the claimed subject matter could provide a helpful insight in determining whether the claimed subject matter is obvious under 35 U.S.C. § 103(a).
- (3) The Court rejected a rigid application of the "teaching, suggestion, or motivation" (TSM) test, which required a showing of some teaching, suggestion, or motivation in the prior art that would lead one of ordinary skill in the art to combine the prior art elements in the manner claimed in the application or patent before holding the claimed subject matter to be obvious.

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- (1) The Court reaffirmed the *Graham* factors in the determination of obviousness under 35 U.S.C. § 103(a). The four factual inquiries under *Graham* are:
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 - (b) ascertaining the differences between the prior art and the claims in issue;
 - (c) resolving the level of ordinary skill in the pertinent art; and
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Graham v. John Deere, 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966).

- (2) The Court did not totally reject the use of "teaching, suggestion, or motivation" as a factor in the obviousness analysis. Rather, the Court recognized that a showing of "teaching, suggestion, or motivation" to combine the prior art to meet the claimed subject matter could provide a helpful insight in determining whether the claimed subject matter is obvious under 35 U.S.C. § 103(a).
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Patent

Attorney Docket No.: 949797-100029-US

X. RELATED PROCEEDINGS APPENDIX

The Appeal Brief with exhibits of Application Serial No. 10/439,652, filed June 13, 2007, is attached hereto.